

STATEMENT OF CHANGES IN IMMIGRATION RULES

*Presented to Parliament pursuant to section 3(2) of
the Immigration Act 1971*

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(This document is accompanied by an Explanatory Memorandum)



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A copy of this Statement of Changes can be found on the visas and immigration pages of the gov.UK website at www.gov.uk/government/collections/immigration-rules-statement-of-changes

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¹STATEMENT OF CHANGES IN IMMIGRATION RULES

The Home Secretary has made the changes hereinafter stated in the rules laid down by her as to the practice to be followed in the administration of the Immigration Acts for regulating entry into and the stay of persons in the United Kingdom and contained in the statement laid before Parliament on 23 May 1994 (HC 395) as amended. The amending statements were laid before, or presented to, Parliament on 20 September 1994 (Cm 2663), 26 October 1995 (HC 797), 4 January 1996 (Cm 3073), 7 March 1996 (HC 274), 2 April 1996 (HC329), 30 August 1996 (Cm 3365), 31 October 1996 (HC 31), 27 February 1997 (HC 338), 29 May 1997 (Cm 3669), 5 June 1997 (HC 26), 30 July 1997 (HC 161), 11 May 1998 (Cm 3953), 8 October 1998 (Cm 4065), 18 November 1999 (HC 22), 28 July 2000 (HC 704), 20 September 2000 (Cm 4851), 27 August 2001 (Cm 5253), 16 April 2002 (HC 735), 27 August 2002 (Cm 5597), 7 November 2002 (HC 1301), 26 November 2002 (HC 104), 8 January 2003 (HC 180), 10 February 2003 (HC 389), 31 March 2003 (HC 538), 30 May 2003 (Cm 5829), 24 August 2003 (Cm 5949), 12 November 2003 (HC 1224), 17 December 2003 (HC 95), 12 January 2004 (HC 176), 26 February 2004 (HC 370), 31 March 2004 (HC 464), 29 April 2004 (HC523), 3 August 2004 (Cm 6297), 24 September 2004 (Cm 6339), 18 October 2004 (HC 1112), 20 December 2004 (HC 164), 11 January 2005 (HC 194), 7 February 2005 (HC 302), 22 February 2005 (HC 346), 24 March 2005 (HC 486), 15 June 2005 (HC 104), 12 July 2005 (HC 299), 24 October 2005 (HC 582), 9 November 2005 (HC 645), 21 November 2005 (HC 697), 19 December 2005 (HC 769), 23 January 2006 (HC 819), 1 March 2006 (HC 949), 30 March 2006 (HC 1016), 20 April 2006 (HC 1053), 19 July 2006 (HC 1337), 18 September 2006 (Cm 6918), 7 November 2006 (HC 1702), 11 December 2006 (HC 130), 19 March 2007 (HC 398), 3 April 2007 (Cm 7074), 4 April 2007 (Cm 7075), 7 November 2007 (HC 28), 13 November 2007 (HC 40), 19 November 2007 (HC 82), 6 February 2008 (HC 321), 17 March 2008 (HC 420), 9 June 2008 (HC 607), 10 July 2008 (HC 951), 15 July 2008 (HC 971), 4 November 2008 (HC 1113), 9 February 2009 (HC 227), 9 March 2009 (HC 314), 24 April 2009 (HC 413), 9 September 2009 (Cm 7701), 23 September 2009 (Cm 7711), 10 December 2009 (HC 120), 10 February 2010 (HC 367), 18 March 2010 (HC 439), 28 June 2010 (HC 59), 15 July 2010 (HC 96), 22 July 2010 (HC 382), 19 August 2010 (Cm 7929), 1 October 2010 (Cm 7944), 21 December 2010 (HC 698), 16 March 2011 (HC 863), 31 March 2011 (HC 908), 13 June 2011 (HC 1148), 19 July 2011 (HC 1436), 10 October 2011 (HC 1511), 7 November 2011 (HC 1622), 8 December 2011 (HC 1693), 20 December 2011 (HC 1719), 19 January 2012 (HC 1733), 15 March 2012 (HC 1888), 4 April 2012 (Cm 8337), 13 June 2012 (HC 194), 9 July 2012 (HC 514), 19 July 2012 (Cm 8423), 5 September 2012 (HC 565), 22 November 2012 (HC 760), 12 December 2012 (HC 820), 20 December 2012 (HC 847), 30 January 2013 (HC 943), 7 February 2013 (HC 967), 11 March 2013 (HC 1038), 14 March 2013 (HC 1039), 9 April 2013 (Cm 8599), 10 June 2013 (HC 244), 31 July 2013 (Cm 8690), 6 September 2013 (HC 628), 9 October 2013 (HC 686), 8 November 2013 (HC 803), 9 December 2013 (HC 887), 10 December 2013 (HC 901), 18 December 2013 (HC 938), 10 March 2014 (HC 1130), 13 March 2014 (HC 1138), 1 April 2014 (HC 1201), 10 June 2014 (HC 198), 10 July 2014 (HC 532) and 16 October 2014 (HC 693).

¹ This Statement of Changes can be viewed at <https://www.gov.uk/government/collections/immigration-rules-statement-of-changes>

Implementation

The changes set out in paragraphs 220 and 222 to 232 of this statement shall apply to applications and asylum claims decided on or after 27 February 2015.

The changes set out in paragraphs 6, 39 to 40 and 358 to 359 of this statement shall take effect from 2 March 2015.

The change set out in paragraph 297 of this statement shall take effect from 19 March 2015.

The changes set out in paragraphs 120, 123 to 124, 126 to 127, 130 to 131, 290 to 296, 298 to 300, and 423 to 435 of this statement shall take effect from 6 April 2015. However, if an applicant has made an application for entry clearance or leave to remain on or after 6 April 2015 using a Certificate of Sponsorship that was assigned to him by his Sponsor before 6 April 2015, the application will be decided in accordance with the rules in force on 5 April 2015.

The changes set out in paragraphs 320 to 321, 380, 384, 414 to 418, 436 and 442 of this statement shall take effect from 6 April 2015 and apply to all applications decided on or after that date. However, these changes will not apply to a person who makes an application for entry clearance or leave to remain before 6 November 2015 provided that the specified English language test was passed on or before 5 April 2015 and regardless of whether the specified English language test was taken at a test centre approved by the Secretary of State as a Secure English language test centre. The version of Appendix O in force on 5 April 2015 will apply to a person passing a specified English language test on or before 5 April 2015 and applying before 6 November 2015.

The changes set out in paragraphs 24, 74 to 75, 79 to 81, 83, 86, 92, 94, 103, 108, 112, 117 to 118, 121 to 122, 128, 132, 134, 138, 182 to 183, 185, 188, 190 to 198, 200 to 201, 207, 233 to 234, 367, 381 and 399 to 413 of this statement shall take effect from 6 April 2015 and apply to all applications decided on or after that date regardless of the date of application.

The changes set out in paragraphs 28 to 31 of this statement will only apply to applications made on or after 6 April 2015.

The changes set out in paragraphs 2, 4 to 5, 13 to 20, 25 to 27, 49 to 51, 82, 84 to 85, 87 to 89, 104, 139, 184, 186 to 187, 189, 199, 205 to 206, 235, 398, and 448 of this statement take effect from 24 April 2015 and replace Part 2 of the Immigration Rules. Any applications for entry clearance or leave to enter or remain made on or after 24 April 2015 will be decided in accordance with the new Visitor Rules in force from 24 April 2015.

The other changes set out in this statement shall take effect from 6 April 2015. However, if an application has been made for entry clearance or leave to enter or remain before 6 April 2015, the application will be decided in accordance with the Rules in force on 5 April 2015.

Review

Before the end of each review period, the Secretary of State undertakes to review all of the relevant Immigration Rules including any Relevant Rule amended or added by these changes.

The Secretary of State will set out the conclusions of the review in a report and publish the report.

The report must in particular:

- (a) consider each of the Relevant Rules and whether or not each Relevant Rule achieves its objectives and is still appropriate; and
- (b) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

“Review period” means:

- (a) the period of five years beginning on 6 April 2012; and
- (b) subject to the paragraph below, each successive period of five years.

If a report under this provision is published before the last day of the review period to which it relates, the following review period is to begin with the day on which that report is published.

“Relevant Rule” means an immigration rule which imposes a net burden (or cost) on business or civil society organisations.

Changes

1. In paragraph 2, delete, “Immigration and Nationality Directorate” and after “United Kingdom” delete “and in compliance with the provisions of the Human Rights Act 1998.”
2. In paragraph 6, after the definition of “an external student”, insert, “A “Short-term student” means a person who is granted leave under paragraphs A57A to A57H of these Rules.”
3. In paragraph 6, after the definition of “humanitarian protection”, insert:
“ ‘Protection claim’ has the same meaning as in section 82(2)(a) of the Nationality, Immigration and Asylum Act 2002”.
4. In paragraph 6 amend the definition of “visa nationals” to ““visa nationals" are the persons specified in Appendix 2 to Appendix V: Visitors who need a visa for the United Kingdom for a visit or for any other purposes where seeking entry for 6 months or less”.”
5. In paragraph 6 amend ““non-visa nationals" are persons who are not specified in Appendix 1 to these Rules.” To ““non-visa nationals" are persons who are not specified in Appendix 2 to Appendix V Immigration Rules for Visitors.”
6. In paragraph 6, after the definition of “the Human Rights Convention”, insert:

““Biometric immigration document” means a document recording biometric information issued in accordance with regulations under section 5 of the UK Borders Act 2007.”

7. In paragraph 6, delete the definition of “Prospective Student”.
8. In paragraph 6, delete “Under Part 6A of these Rules, an "**A-rated Sponsor**" is a Sponsor” and substitute “Under Appendix A of these Rules, an "**A-rated Sponsor**" is a Sponsor”.
9. In paragraph 6, delete the definition of a "**B-Rated Sponsor**".
10. In paragraph 6 delete the definition of a "**Highly Trusted Sponsor**".
11. In paragraph 6, delete the definition of “removal decision” and substitute:

“ “Notice of liability for removal” means a notice given that a person is or will be liable for removal under section 10 of the Immigration and Asylum Act 1999 as amended by the Immigration Act 2014. For cases that pre-date the Immigration Act 2014 coming into force, “notice of liability for removal” refers to a decision to remove in accordance with section 10 of the Immigration and Asylum Act 1999, a decision to remove an illegal entrant by way of directions under paragraphs 8 to 10 of Schedule 2 to the Immigration Act 1971 or a decision to remove in accordance with section 47 of the Immigration, Asylum and Nationality Act 2006.”
12. In paragraph 6, after the definition of “Notice of liability for removal” insert:

“ “Pending appeal” has the same meaning as in section 104 of the Nationality, Immigration and Asylum Act 2002.”
13. In paragraph 6, amend “A "**visitor**" is a person granted leave to enter or remain in the UK under paragraphs 40-56Z, 75A-M or 82-87 of these Rules.” to “A "**visitor**" is a person granted leave to enter or remain in the UK under paragraphs 40-56Z, 75A-M or 82-87 of these Rules before 24 April 2015 or under Appendix V: Immigration Rules for Visitors on or after 24 April 2015.”
14. In paragraph 6, delete “A "**Business Visitor**" is a person granted leave to enter or remain in the UK under paragraphs 46G-46L, 75A-F or 75G-M of these Rules.”
15. In paragraph 6, delete the definition of “An "**Academic Visitor**””.
16. In paragraph 6, delete the definition of “A "**Visiting Professor**””.
17. In paragraph 6, delete the definition of “A "**Sports Visitor**””.
18. In paragraph 6, delete the definition of “An "**Entertainer Visitor**””.
19. In paragraph 6, delete the definition of “A "**Special Visitor**””.

20. In paragraph 6, delete the definition of "**A visitor undertaking permitted paid engagements**".
21. In paragraph 6, in the definition of "eligible decision", delete "paragraph AR3.2" and substitute "paragraphs AR3.2, AR4.2 or AR5.2".
22. In paragraph 6 add the following paragraph "Under Part 6A of these Rules, "**Tier 4 Sponsor**" means a sponsor which is recorded as having "Tier 4 Sponsor status" on the register of licensed sponsors maintained by the Home Office.":
23. In paragraph 6 add the following paragraph "Under Part 6A of these Rules, "**Probationary Sponsor**" means a Tier 4 sponsor which is recorded as having "Probationary Sponsor status" on the register of licensed sponsors maintained by the Home Office."
24. In paragraph 8 at the end of (ii) delete "and". At the end of (iii) delete "." and substitute "; and (iv) a condition restricting his studies in the United Kingdom."
25. After paragraph 18 insert a new paragraph "[18A] Those who qualify for admission to the United Kingdom as returning residents in accordance with paragraph 18 do not need a visa to enter the UK."
26. After paragraph 20A insert a new paragraph "[20B] Those who seek leave to enter the United Kingdom within the period of their earlier leave and for the same purpose as that for which that leave was granted, unless it
 - (i) was for a period of six months or less; or
 - (ii) was extended by statutory instrument or by section 3C of the Immigration Act 1971 (inserted by section 3 of the Immigration and Asylum Act 1999);do not need a visa to enter the UK."
27. In paragraph 28 amend "seeking entry as a visitor" to "seeking entry as a short-term student".
28. In paragraph A34(iii)(d) for "." substitute "; and".
29. In paragraph A34(iii) insert after sub-paragraph (d):
“(e) the requirements of paragraph 34BB must be met.”.
30. In paragraph 34A insert after sub-paragraph (vi)(b):
“and
(vii) the requirements of paragraph 34BB must be met.”.
31. After paragraph 34B insert:
“34BB. (1) Where an application for limited or indefinite leave to remain in the United Kingdom is made by completing the relevant online application process, the supporting documents submitted in accordance with paragraph A34(iii)(c) must be accompanied by an original, valid passport, travel

document or (unless the applicant is a Points Based System Migrant) national identity card issued to the applicant and to any dependant included in the application, unless sub-paragraph (3) applies.

(2) Where an application for limited or indefinite leave to remain in the United Kingdom is made, for which an application form is specified, the application must be accompanied by an original, valid passport, travel document or (unless the applicant is a Points Based System Migrant) national identity card issued to the applicant and to any dependant included in the application, unless sub-paragraph (3) applies.

(3) This sub-paragraph applies where:

(i) the application is made:

(a) for limited leave to enable access to public funds pending an application under paragraph 289A of, or under Part 6 of Appendix Armed Forces or section DVILR of Appendix FM to, these Rules; or

(b) by a stateless person or the family member of a stateless person under Part 14 of these Rules; or

(c) by a person in the UK with refugee status or humanitarian protection; or

(ii) the passport, travel document or national identity card of the applicant or (as the case may be) the dependant is held by the Home Office at the date of application; or

(iii) the Secretary of State considers that there is a good reason beyond the control of the applicant or (as the case may be) the dependant, given in or with the application, why an original, valid passport, travel document or (unless the applicant is a Points Based System Migrant) national identity card cannot be provided, e.g. where it has been permanently lost and there is no functioning national government to issue a replacement.

(4) Where sub-paragraph (3)(iii) applies, the Secretary of State may require the person to provide alternative satisfactory evidence of his or her identity and nationality.

(5) Where sub-paragraph (3)(ii) or (iii) applies to the applicant or (as the case may be) to a dependant included in the application, the requirement in sub-paragraph (1) or (as the case may be) (2) continues to apply to any other person included in the application.”.

32. In paragraph 34C delete “following provisions apply” substitute “following applies”.

33. In paragraph 34C subsection (a) delete “if it does not comply with the relevant requirements of A34(iii) or 34A, as applicable,”.

34. In paragraph 34C subsection (b) insert “, save for failure to enrol their biometric information” after “which renders the application invalid”.
35. In heading between paragraphs 34F and 34G delete “in connection with immigration” and substitute “for leave to remain”.
36. In paragraph 34G subsection (i) after “post” insert “by Royal Mail”.
37. In paragraph 34G subsection (iii) insert “, or other postal services provider” after “sent by courier”.
38. In paragraph 34J delete “as soon as the passport is returned in response to that request” and substitute “on the date that request is received by the Home Office”.
39. Delete paragraph 34M and substitute:

“34M. An application for administrative review must be made in accordance with the requirements set out in paragraphs 34N to 34S. If it is not it will be invalid and will not be considered.”

40. Delete paragraph 34N and substitute:

“34N. (1) Unless sub-paragraph (2) applies only one valid application for administrative review may be made in respect of an eligible decision.

(2) A further application for administrative review in respect of an eligible decision may be made where the outcome of the administrative review is as set out in paragraph AR2.2(d) of Appendix AR of these Rules.”

41. Delete paragraph 34Q and substitute:

“34Q. The application must be made:

(a) when the administrative review is in relation to an eligible decision on an in country application, as defined in paragraph AR3.2 of Appendix AR, while the applicant is in the UK;

(b) when the administrative review is in relation to an eligible decision made on arrival at the United Kingdom, as defined in paragraph AR4.2 of Appendix AR, while the applicant is in the UK, unless the eligible decision is made in the *Control Zone* (as defined in Appendix AR of these Rules), in which case administrative review may not be applied for and will not be considered until after the applicant has left or been removed from the *Control Zone*;

(c) when the administrative review is in relation to an eligible decision for entry clearance, as defined in paragraph AR5.2 of Appendix AR, while the applicant is outside the UK.”

42. Delete paragraph 34R and substitute:

“34R. (1) The application must be made:

(a) where the applicant is in the UK and not detained, no more than 14 calendar days after receipt by the applicant of the notice of the eligible decision;

(b) where the applicant is in detention in the UK under the Immigration Acts, no more than 7 calendar days after receipt by the applicant of the notice of the eligible decision;

(c) where the applicant is overseas, no more than 28 calendar days after receipt by the applicant of the notice of the eligible decision; or

(d) where the eligible decision is a grant of leave to remain, no more than 14 calendar days after receipt by the applicant of the biometric immigration document which states the length and conditions of leave granted.

(2) An application which is permitted under paragraph 34N(2) of these Rules must be made within the relevant time limit stated in paragraph 34R(1) as if it was an initial application, and the notice of the outcome of the previous administrative review will be treated as the notice of the eligible decision.

(3) But the application may be accepted out of time if the Secretary of State is satisfied that it would be unjust not to waive the time limit and that the application was made as soon as reasonably practicable.

(4) For the purposes of this paragraph, where notice of the eligible decision or outcome of the previous administrative review is sent by post to an address:

(a) in the UK, it is deemed to have been received, unless the contrary is shown, on the second working day after the day on which it was posted;

(b) outside the UK, it is deemed to have been received, unless the contrary is shown, on the twenty-eighth day after the day on which it was posted.

(5) For provision about when an application is made see paragraph 34W.”

43. Delete paragraph 34S and substitute:

“34S. An applicant may only include an application on behalf of a dependant of the applicant if that dependant:

(a) was a dependant on the application which resulted in the eligible decision;
or

(b) was previously granted leave to enter or remain as a dependant of the applicant and that leave is being cancelled at the same time as that of the applicant.”

44. Delete paragraph 34T(2) and substitute:

“(2) A notice of invalidity is deemed to have been received, unless the contrary is shown:

(a) where it is sent by post to an address in the UK, on the second working day after the day on which it was posted;

(b) where it is sent by post to an address outside the UK, on the twenty-eighth day after the day on which it was posted;

(c) where it is sent by electronic mail, on the day on which it is sent; and

(d) where it is given in person, on the day on which it is given.”

45. In paragraph 34X(1), after “An application which”, insert “may only be brought from within the UK and”.

46. In paragraph A39 delete “Any person from a country listed in Appendix T Part 1 making an application for entry clearance to come to the UK for more than six months or as a fiancé(e) or proposed civil partner applying for leave to enter under Section EC-P:Entry clearance as a partner under Appendix FM or leave to enter under paragraphs 290-291 in Part 8 of these Rules,” and insert

“Any person making an application for entry clearance to come to the UK for more than six months or as a fiancé(e) or proposed civil partner applying for leave to enter under Section EC-P:Entry clearance as a partner under Appendix FM, having been present in a country listed in Appendix T for more than six months immediately prior to their application,”

47. After paragraph B39, insert

“C39. Where a person has lawfully been present in a country not mentioned in Appendix T for more than six months and they are applying for entry clearance as in A39 in a country in Appendix T but have not been in that country or any other country mentioned in Appendix T for more than six months immediately before making their application, they will not be required to produce a medical certificate showing they are free from active pulmonary TB. This does not alter the discretionary powers as in paragraph 39 below.”

48. After paragraph 39C insert:

“Power to interview a person with limited leave to enter or remain

39D. For the purpose of assessing whether any of the grounds of curtailment under paragraphs 245DE(c), 245EE(c), 276BD1, 276BN1, 276BS1, 323 (other than

323(vii)), 323A, 323B, or 323C, apply the Secretary of State may request a person who holds limited leave to enter or remain in the UK to:

(i) provide additional information and evidence to the Home Office at the address specified in the request within 28 calendar days of the date the request is sent; and/or

(ii) attend an interview.”

49. Delete paragraphs 40 to 56Z and substitute with:

“Transitional provisions Part 2 and Appendix V: Immigration Rules for Visitors

1 Appendix V: Immigration Rules for Visitors will apply to all visitor applications for entry clearance, leave to enter or remain decided on or after 24 April 2015. Any references in legislation or in a ministerial authorisation made under paragraph 17(4), Schedule 3 of the Equality Act 2010 to an application for entry clearance, leave to enter or remain under Part 2 of the Immigration Rules shall, in relation to any application made by a visitor on or after 24th April 2015 and unless the context otherwise requires, be read as a reference to an application for a visit visa under Appendix V: Immigration Rules for Visitors.

2 An application made under paragraphs 56K to 56M for a student visit before 24 April 2015 will be decided as if it were an application for short-term study under paragraphs A57A to A57H of these Rules.

3 An application made under paragraphs 56A to 56C for a parent of a child at school visitor before 24 April 2015 will be decided as if it were an application for a Tier 4 (child) student under paragraphs 276BT1 to 276BV1 of these Rules.

4 From 24 April 2015 the following provisions of these rules will not apply to visitors, except where specifically provided for in Appendix V: Immigration Rules for Visitors:

- a. Paragraph 6;
- b. Part 1;
- c. Part 9;
- d. Appendix 1;
- e. Appendix R.”

50. Before paragraph 57, insert:

“Persons seeking to enter the UK for short-term study

Introduction

A57A. These Rules apply to persons who wish to study in the UK as a short-term student for up to and including 6 months or, for persons aged 18 and over, for up to and including 11 months for English language study only.

A57B. In paragraphs A57A to A57H:

- (a) English language study means study on a course that is entirely English language, not one that includes study of other subjects;
- (b) State-maintained school or institution is one which provides a free education and is primarily funded from public funds.
- (c) An accredited institution must be:
 - (i) the holder of a sponsor licence for Tier 4 of the Points Based System; or
 - (ii) the holder of valid accreditation from Accreditation UK, the Accreditation Body for Language Services (ABLS), the British Accreditation Council (BAC) or the Accreditation Service for International Colleges (ASIC); or
 - (iii) the holder of a valid and satisfactory full institutional inspection, review or audit by one of the following bodies: Bridge Schools Inspectorate; Estyn; Education Scotland; the Independent Schools Inspectorate; Office for Standards in Education; the Quality Assurance Agency for Higher Education; the Schools Inspection Service or the Education and Training Inspectorate Northern Ireland; or
 - (iv) an overseas Higher Education Institution offering only part of their programmes in the United Kingdom, holding its own national accreditation and offering programmes that are an equivalent level to a United Kingdom degree.

Requirements for entry clearance or leave to enter – Short-Term Student

A57C. All applicants for entry clearance or leave to enter the UK as a short-term student must meet the following requirements:

- (a) the applicant does not fall for refusal under the general grounds for refusal; and,
- (b) meets all of the following requirements. The student:
 - (i) is aged 18 or over.
 - (ii) does not intend to study at a state-maintained school or institution.
 - (iii) does not intend to study in the UK for extended periods through frequent or successive periods as a short-term student.
 - (iv) does not intend to take employment, including paid or unpaid work, a work placement or work experience in the UK.
 - (v) does not intend to undertake self-employment or engage in business activities or any professional activity in the UK.
 - (vi) has enough funds to meet the cost of his return or onward journey from the UK.
 - (vii) will be maintained and accommodated adequately out of funds available to him.
 - (viii) will not have recourse to public funds.

A57D. Applicants for entry clearance or leave to enter the UK as a short-term student for up to and including 6 months must meet the requirements in A57C and all of the following requirements:

- (a) Either;
 - (i) has been accepted on a course of study of no more than 6 months, which is to be provided by an accredited institution; or
 - (ii) is enrolled on a course of study abroad equivalent to at least degree level study in the UK and has been accepted by a UK recognised body or a body in receipt of public funding as a higher education institution from the Department for Employment and Learning in Northern Ireland, the Higher Education Funding Council for England, the Higher Education Funding Council for Wales or the Scottish Funding Council to undertake research or be taught about research (research tuition) at the UK institution, provided that the overseas course provider confirms that the research or research tuition is part of or relevant to the course of study that they are enrolled on overseas, and the student is not to be employed as a sponsored researcher under the relevant Tier 5 Government Authorised Exchange scheme, or under Tier 2 of the Points-Based System, at the UK institution ;

and

- (b) intends to leave the UK at the end of the study or at the end of 6 months whichever is sooner.
- (c) holds a valid entry clearance as a short-term student for 6 months unless he is a non-visa national.

A57E. Applicants for entry clearance or leave to enter the UK as a short-term student for up to and including 11 months must meet the requirements in A57C and all of the following requirements:

- (a) has been accepted on a course of study in English language of no more than 11 months which is to be provided by an accredited institution; and
- (b) intends to leave the UK at the end of the study or at the end of 11 months whichever is sooner; and
- (c) holds a valid entry clearance as a short-term student for a period not exceeding 11 months.

Period and conditions of grant of entry clearance or leave to enter for short-term students

A57F. (a) Entry clearance or leave to enter the UK as a short-term student will be granted for a period not exceeding 6 months where paragraph A57D applies;

(b) Entry clearance to enter the UK as a short-term student will be granted for a period not exceeding 11 months where paragraph A57E applies.

Requirements for entry clearance or leave to enter – Short-term student (child)

A57G. The requirements for entry clearance or leave to enter for short-term students (child) are that the applicant:

- (a) does not fall for refusal under the general grounds for refusal; and,
- (b) meets all of the following requirements. That the student:
 - (i) is aged under 18;
 - (ii) has been accepted on a course of study which is to be provided by an accredited institution which is not a state-maintained school or institution;
 - (iii) does not intend to study at a state-maintained school or institution;
 - (iv) intends to leave the UK at the end of 6 months;
 - (v) does not intend to study in the UK for extended periods through frequent or successive periods as a short-term student;
 - (vi) does not intend to take employment, including paid or unpaid work, work placements or work experience in the UK;
 - (vii) does not intend to undertake self-employment or engage in business or any professional activities in the UK;
 - (viii) has enough funds to meet the cost of his return or onward journey from the UK;
 - (ix) will be maintained and accommodated adequately out of funds available to him
 - (x) will not have recourse to public funds;
 - (xi) can demonstrate that suitable arrangements have been made for his travel to, and reception and care in the UK;
 - (xii) has a parent or guardian in his home country or country of habitual residence who is responsible for his care and who confirms that they consent to the arrangements for the applicant's travel, reception and care in the UK; and
 - (xiii) if a visa national;
 - (a) the applicant holds a valid United Kingdom entry clearance for entry as an accompanied short-term student (child) and is travelling in the company of the adult identified on the entry clearance, who is on the same occasion being admitted to the United Kingdom; or
 - (b) the applicant holds a valid United Kingdom entry for entry as an unaccompanied short-term student (child).

Period and conditions of grant of entry clearance or leave to enter as a short-term student (child)

A57H. Entry clearance or leave to enter as a short-term student (child) will be granted for a period not exceeding 6 months.”

51. Delete paragraphs 75A to 75M.

52. Delete the first heading above paragraph 76, and substitute “ Spouses or civil partners of students granted leave under paragraphs 57 – 75 (but not A57A to A57H)”.
53. Delete the second heading above paragraph 76, and substitute “Requirements for leave to enter or remain as the spouse or civil partner of a student granted leave under paragraphs 57-75 (but not A57A to A57H)”.
54. In paragraph 76:
 - a) delete “or leave to remain as the spouse or civil partner or a prospective student”, and substitute “granted leave under paragraphs 57-75 (but not A57A to A57H)”.
 - b) in (i), delete “or 82-87F”.
55. In paragraph 77:
 - a) delete “or leave to remain as the spouse or civil partner of a prospective student” and substitute, “granted leave under paragraphs 57-75 (but not A57A to A57H)”.
 - b) after “not in excess of that granted to the student”, delete “or prospective student”.
 - c) after “period of leave granted to the student”, delete “or prospective student”.
56. At the end of Paragraph 77 insert “Study subject to the condition set out in Part 15 of these Rules.”
57. Delete the heading above paragraph 78 and substitute, “ Refusal of leave to enter or remain as the spouse or civil partner of a student granted leave under paragraphs 57-75 (but not A57A to A57H)”.
58. In paragraph 78, after “spouse or civil partner of a student”, delete “or spouse or civil partner of a prospective student” and substitute “granted leave under paragraphs 57-75 (but not A57A to A57H)”.
59. Delete the first heading above 79 and substitute, “Children of students granted leave under paragraphs 57-75 (but not A57A to A57H)”.
60. Delete the second heading above 79 and substitute, “ Requirements for leave to enter or remain as the child of a student granted leave under paragraphs 57-75 (but not A57A to A57H)”.
61. In paragraph 79, delete “or as the child of a prospective student” and substitute, “granted leave under paragraphs 57-75 (but not A57A to A57H)”.
62. In paragraph 79(i), delete, “or prospective student” and “or 82-87F”.
63. In paragraph 79A(i), delete “or prospective student”.

64. In paragraph 79A(ii), delete “or prospective student”.
65. Delete the heading above paragraph 80, and substitute “Leave to enter or remain as the child of a student granted leave under paragraphs 57-75 (but not A57A to A57H)”.
66. In paragraph 80:
- a) after “child of a student”, delete “or leave to remain as the child of a prospective student” and substitute, “granted leave under paragraphs 57-75 (but not A57A to A57H)”.
 - b) after “not in excess of that granted to the student”, delete “or prospective student”.
 - c) after “period of leave granted to the student”, delete “or prospective student”.
67. At the end of paragraph 80 insert “Study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 or over before their period of limited leave expires.”
68. Delete the heading above paragraph 81, and substitute, “Refusal of leave to enter or remain as the child of a student granted leave under paragraphs 57-75 (but not A57A to A57H)”.
69. In paragraph 81, after “child of a student “, delete “or leave to remain as the child of a prospective student” and substitute, “granted leave under paragraphs 57-75 (but not A57A to A57H)”.
70. Delete paragraph A82.
71. Delete paragraph 85.
72. Delete paragraph 86.
73. Delete paragraph 87.
74. In paragraph 145 at the end of (ii) delete “and”. At the end of (iii) delete “.” and substitute “, and (iv) study subject to the condition set out in Part 15 of these Rules.”
75. In paragraph 148(ii)(ii) delete “and”. At the end of (ii) (iii) delete “.” and substitute “, and (iv) study subject to the condition set out in Part 15 of these Rules.”
76. After paragraph 159A(v) insert:
- “(va) satisfies the Entry Clearance Officer or Immigration Officer that, throughout their employment in the UK, the employer intends to pay them at least the National

Minimum Wage rate to which they are entitled by the law in force at the relevant time; and

(vb) provides a written and signed statement from the employer confirming that the applicant is an employee and the work that will be carried out by the applicant will not constitute work within the meaning of paragraph 2(2) of the National Minimum Wage Regulations 1999 (as amended from time to time); and”.

77. After paragraph 159D(iv) insert:

“(iva) satisfies the Secretary of State that, throughout their employment in the UK, the employer intends to pay them at least the National Minimum Wage rate to which they are entitled by the law in force at the relevant time; and

(ivb) provides a written and signed statement from the employer confirming that the applicant is an employee and the work that will be carried by the applicant will not constitute work within the meaning of paragraph 2(2) of the 1999 National Minimum Wage Regulations 1999 (as amended from time to time); and”.

78. After paragraph 159EA (iii) insert:

“(iii)(a) satisfies the Secretary of State that throughout their employment in the UK, the employer intends to pay them at least the National Minimum Wage rate to which they are entitled by the law in force at the relevant time; and

(iii)(b) provides a written and signed statement from the employer confirming that the applicant is an employee and the work that will be carried by the applicant will not constitute work within the meaning of paragraph 2(2) of the National Minimum Wage Regulations 1999 (as amended from time to time); and”.

79. In paragraph 187 after “5 years” insert “, subject to a condition on study as set out in Part 15 of these Rules,”

80. In paragraph 190 after “5 years” insert “, subject to a condition on study as set out in Part 15 of these Rules,”

81. In paragraph 195 after “person with limited leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K)” insert “, subject to a condition on study as set out in Part 15 of these Rules,”

82. In paragraph 196A(iii)(1), after “visitor,” insert “short-term student or short-term student (child),”.

83. In paragraph 196B (i) after “granted” insert “, subject to a condition on study as set out in Part 15 of these Rules,”. In (ii) after “2 years” insert “, subject to a condition on study as set out in Part 15 of these Rules.”

84. In paragraph 196D(iv)(1), after “visitor,” insert “short-term student or short-term student (child),”.

85. In paragraph 197(vii)(1), after “visitor,” insert “short-term student or short-term student (child).”.
86. In paragraph 198 in (a) after “the person with limited leave to enter or remain under paragraphs 128-193 (but not paragraphs 135I-135K)” insert “, subject to a condition on study as set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”. In (b) after “30 months” insert “, subject to a condition on study as set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”
87. In paragraph 198(a)(ii)(1), after “visitor,” insert “short-term student or short-term student (child).”.
88. In paragraph 198A(ii)(1), after “visitor,” insert “short-term student or short-term student (child).”.
89. In paragraph 199(iii)(1), after “visitor,” insert “short-term student or short-term student (child).”.
90. Delete paragraph 245AAA(a)(i) and substitute:
- “(i) the applicant has been absent from the UK for a period of 180 days or less in any of the five consecutive 12 month periods preceding the date of the application for leave to remain, except that any absence from the UK for the purpose of assisting with the Ebola crisis which began in West Africa in 2014 shall not count towards the 180 days, if the applicant provides evidence that this was the purpose of the absence(s) and that his Sponsor agreed to the absence(s);”.

91. Delete paragraph 245BC and substitute:

“245BC. Period and conditions of grant

- (a) Entry clearance will be granted for a period of:

- (i) 1 year,
- (ii) 2 years,
- (iii) 3 years,
- (iv) 4 years, or
- (v) 5 years and 4 months,

as requested by the applicant.

- (b) Entry clearance will be granted subject to the following conditions:

- (i) no recourse to public funds,
- (ii) registration with the police, if this is required by paragraph 326,
- (iii) no employment as a Doctor or Dentist in Training, and
- (iv) no employment as a professional sportsperson (including as a sports coach).

92. In paragraph 245BC (b), after “(iv)” insert:

- “(v) study subject to the condition set out in Part 15 of these Rules, where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires”

93. Delete paragraph 245BE(a) and substitute:

“(a) Leave to remain will be granted for a period of:

- (i) 1 year,
- (ii) 2 years,
- (iii) 3 years,
- (iv) 4 years, or
- (v) 5 years,

as indicated by the applicant.”

94. In paragraph 245BE (b) (iv) delete “.” and substitute with “, and (v) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”

95. Delete paragraph 245C and substitute:

“245C. Purpose

This route is now closed except for indefinite leave to remain applications.”

96. Delete paragraphs 245CA and 245CB.

97. In paragraph 245D(c), delete “, refer to money remaining available to the applicant until such time as it is spent for the purposes of his business or businesses:” and substitute “refer to investing funds in a business or businesses, or to money remaining available to the applicant until such time as it is spent for the purposes of his business or businesses:”.

98. In paragraph 245D(c)(ii), delete “‘Spent’” and substitute “‘Invested’ or ‘spent’”.

99. Delete paragraph 245D(c)(ii)(2) and substitute:

- “(2) buying the business from a previous owner, where the money ultimately goes to that previous owner (irrespective of whether it is received or held directly or

indirectly by that previous owner) rather than into the business being purchased (This applies regardless of whether the money is channelled through the business en route to the previous owner, for example by means of the applicant or business purchasing 'goodwill' or other assets which were previously part of the business.),”.

100. In paragraph 245DB(f), delete:

“Except where the applicant has had entry clearance, leave to enter or leave to remain as a Tier 1 (Entrepreneur) Migrant, a Businessperson or an Innovator in the 12 months immediately before the date of application and is being assessed under Table 5 of Appendix A,”

and substitute:

“Where the applicant is being assessed under Table 4 of Appendix A,”.

101. Delete paragraph 245DB(g) to (j) and substitute:

“(g) The applicant must provide a business plan, setting out his proposed business activities in the UK and how he expects to make his business succeed.

(h) In making the assessment in (f), the Entry Clearance Officer will assess the balance of probabilities. The Entry Clearance Officer may take into account the following factors:

(i) the evidence the applicant has submitted;

(ii) the viability and credibility of the source of the money referred to in Table 4 of Appendix A;

(iii) the viability and credibility of the applicant's business plan and market research into their chosen business sector;

(iv) the applicant's previous educational and business experience (or lack thereof);

(v) the applicant's immigration history and previous activity in the UK; and

(vi) any other relevant information.

(i) Where the applicant has had entry clearance, leave to enter or leave to remain as a Tier 1 (Entrepreneur) Migrant, a Businessperson or an Innovator in the 12 months immediately before the date of application, and is being assessed under Table 5 of Appendix A, the Entry Clearance Officer must be satisfied that:

(i) the applicant has established, taken over or become a director of one or more genuine businesses in the UK, and has genuinely operated that business or businesses while he had leave as a Tier 1 (Entrepreneur) Migrant, a Businessperson or an Innovator; and

- (ii) the applicant has genuinely invested the money referred to in Table 5 of Appendix A into one or more genuine businesses in the UK to be spent for the purpose of that business or businesses; and
 - (iii) the applicant genuinely intends to continue operating one or more businesses in the UK; and
 - (iv) the applicant does not intend to take employment in the United Kingdom other than under the terms of paragraph 245DE.
- (j) In making the assessment in (i), the Entry Clearance Officer will assess the balance of probabilities. The Entry Clearance Officer may take into account the following factors:
- (i) the evidence the applicant has submitted;
 - (ii) the viability and credibility of the source of the money referred to in Table 5 of Appendix A;
 - (iii) the credibility of the financial accounts of the business or businesses;
 - (iv) the credibility of the applicant's business activity in the UK, including when he had leave as a Tier 1 (Entrepreneur) Migrant, a Businessperson or an Innovator;
 - (v) the credibility of the job creation for which the applicant is claiming points in Table 5 of Appendix A;
 - (vi) if the nature of the business requires mandatory accreditation, registration and/or insurance, whether that accreditation, registration and/or insurance has been obtained; and
 - (viii) any other relevant information.
- (k) The Entry Clearance Officer reserves the right to request additional information and evidence to support the assessment in (f) or (i), and to refuse the application if the information or evidence is not provided. Any requested documents must be received by the Entry Clearance Officer at the address specified in the request within 28 calendar days of the date of the request.
- (l) If the Entry Clearance Officer is not satisfied with the genuineness of the application in relation to a points-scoring requirement in Appendix A, those points will not be awarded.
- (m) The Entry Clearance Officer may decide not to carry out the assessment in (f) or (i) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.

- (n) The applicant must, unless he provides a reasonable explanation, comply with any request made by the Entry Clearance Officer to attend for interview.”
102. After new paragraph 245DB(n) above, renumber existing sub-paragraphs (k) to (m) as (o) to (q) respectively.
103. In paragraph 245DC(a) at the end of (iii) delete “and”. At the end of (iv) delete “.” and substitute “, and (v) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”
104. Delete paragraph 245DD(e)(xxii) and substitute with: “245DD(e)(xxii) a visitor who has been undertaking permitted activities as a prospective entrepreneur”.
105. In paragraph 245DD(h), delete:
- “Except where the applicant has, or was last granted, leave as a Tier 1 (Entrepreneur) Migrant, a Businessperson or an Innovator and is being assessed under Table 5 of Appendix A,”
- and substitute:
- “Where the applicant is being assessed under Table 4 of Appendix A,”.
106. Delete paragraph 245DD(i) to (l) and substitute:
- “(i) The applicant must provide a business plan, setting out his proposed business activities in the UK and how he expects to make his business succeed.
- (j) In making the assessment in (h), the Secretary of State will assess the balance of probabilities. The Secretary of State may take into account the following factors:
- (i) the evidence the applicant has submitted;
- (ii) the viability and credibility of the source of the money referred to in Table 4 of Appendix A;
- (iii) the viability and credibility of the applicant's business plans and market research into their chosen business sector;
- (iv) the applicant's previous educational and business experience (or lack thereof);
- (v) the applicant's immigration history and previous activity in the UK;
- (vi) where the applicant has already registered in the UK as self-employed or as the director of a business, and the nature of the business requires

mandatory accreditation, registration and/or insurance, whether that accreditation, registration and/or insurance has been obtained; and

- (vii) any other relevant information.
- (k) Where the applicant has, or was last granted, leave as a Tier 1 (Entrepreneur) Migrant, a Businessperson or an Innovator, and is being assessed under Table 5 of Appendix A, the Secretary of State must be satisfied that:
- (i) the applicant has established, taken over or become a director of one or more genuine businesses in the UK, and has genuinely operated that business or businesses while he had leave as a Tier 1 (Entrepreneur) Migrant, a Businessperson or an Innovator; and
 - (ii) the applicant has genuinely invested the money referred to in Table 5 of Appendix A into one or more genuine businesses in the UK to be spent for the purpose of that business or businesses; and
 - (iii) the applicant genuinely intends to continue operating one or more businesses in the UK; and
 - (iv) the applicant does not intend to take employment in the United Kingdom other than under the terms of paragraph 245DE.
- (l) In making the assessment in (k), the Secretary of State will assess the balance of probabilities. The Secretary of State may take into account the following factors:
- (i) the evidence the applicant has submitted;
 - (ii) the viability and credibility of the source of the money referred to in Table 5 of Appendix A;
 - (iii) the credibility of the financial accounts of the business or businesses;
 - (iv) the credibility of the applicant's business activity in the UK, including when he had leave as a Tier 1 (Entrepreneur) Migrant, a Businessperson or an Innovator;
 - (v) the credibility of the job creation for which the applicant is claiming points in Table 5 of Appendix A;
 - (vii) if the nature of the business requires mandatory accreditation, registration and/or insurance, whether that accreditation, registration and/or insurance has been obtained; and
 - (viii) any other relevant information.
- (m) The Secretary of State reserves the right to request additional information and evidence to support the assessment in (h) or (k), and to refuse the application if

the information or evidence is not provided. Any requested documents must be received by the Secretary of State at the address specified in the request within 28 calendar days of the date of the request.

- (n) If the Secretary of State is not satisfied with the genuineness of the application in relation to a points-scoring requirement in Appendix A, those points will not be awarded.
- (o) The Secretary of State may decide not to carry out the assessment in (h) or (k) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.”

107. After new paragraph 245DD(o) above, renumber existing sub-paragraphs (m) to (p) as (p) to (s) respectively.

108. In paragraph 245DE(b) (iv) delete “.” and substitute with “, and (v) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”

109. After paragraph 245DF(e), insert:

- “(f) The Secretary of State must be satisfied that:
 - (i) the applicant has established, taken over or become a director of one or more genuine businesses in the UK, and has genuinely operated that business or businesses while he had leave as a Tier 1 (Entrepreneur) Migrant, a Businessperson or an Innovator; and
 - (ii) the applicant has genuinely invested the money referred to in Table 6 of Appendix A into one or more businesses in the UK to be spent for the purpose of that business or businesses; and
 - (iii) the applicant genuinely intends to continue operating one or more businesses in the UK.
- (g) In making the assessment in (f), the Secretary of State will assess the balance of probabilities. The Secretary of State may take into account the following factors:
 - (i) the evidence the applicant has submitted;
 - (ii) the viability and credibility of the source of the money referred to in Table 6 of Appendix A;
 - (iii) the credibility of the financial accounts of the business or businesses;
 - (iv) the credibility of the applicant's business activity in the UK, including when he had leave as a Tier 1 (Entrepreneur) Migrant, a Businessperson or an Innovator;

- (v) the credibility of the job creation for which the applicant is claiming points in Table 6 of Appendix A;
 - (vii) if the nature of the business requires mandatory accreditation, registration and/or insurance, whether that accreditation, registration and/or insurance has been obtained; and
 - (viii) any other relevant information.
- (h) The Secretary of State reserves the right to request additional information and evidence to support the assessment in (f), and to refuse the application if the information or evidence is not provided. Any requested documents must be received by the Secretary of State at the address specified in the request within 28 calendar days of the date of the request.
- (i) If the Secretary of State is not satisfied with the genuineness of the application in relation to a points-scoring requirement in Appendix A, those points will not be awarded.
- (j) The Secretary of State may decide not to carry out the assessment in (f) if the application already falls for refusal on other grounds, but reserves the right to carry out this assessment in any reconsideration of the decision.
- (k) The applicant must, unless he provides a reasonable explanation, comply with any request made by the Secretary of State to attend for interview.”
110. Delete paragraph 245EB(d) to (f) and substitute:
- “(d) The applicant must be at least 18 years old and the assets and investment he is claiming points for must be wholly under his control.”
111. In paragraph 245EB, renumber sub-paragraph (g) as (e).
112. In paragraph 245EC (a) (iv) delete “.” and substitute “, and (v) study subject to the condition set out in Part 15 of these Rules.”
113. Delete paragraph 245ED(e) to (g) and substitute:
- “(e) The applicant must be at least 18 years old and the assets and investment he is claiming points for must be wholly under his control.”
114. In paragraph 245ED, renumber sub-paragraphs (h) and (i) as (f) and (g) respectively.
115. Delete paragraph 245ED(e) to (g) and substitute:
- “(e) The applicant must be at least 18 years old and the assets and investment he is claiming points for must be wholly under his control.”

116. In paragraph 245ED, renumber sub-paragraphs (h) and (i) as (f) and (g) respectively.
117. In paragraph 245EE (b) (iv) delete “.” and substitute “, and (v) study subject to the condition set out in Part 15 of these Rules.”
118. In paragraph 245FC (iii) delete “and”. In (iv) delete “.” and substitute “, and (v) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”
119. At the start of paragraph 245GB(d), delete “The applicant” and substitute “Except where the period of engagement recorded by the Certificate of Sponsorship used in support of such entry clearance or leave to remain was granted for a period of three months or less, the applicant”.
120. In paragraph 245GB(e)(iii), delete “£153,500” and substitute “£155,300 per year”.
121. In paragraph 245GC (d) (ii) delete “and”.
122. In paragraph 245GC (d) (iii) (2) delete “.” and substitute “, and (iv) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”
123. In paragraph 245GE(b)(iii)(2), delete “£153,500, (or £152,100 if the Certificate of Sponsorship used in support of the application was assigned to him before 6 April 2014)” and substitute “£155,300 (or £153,500 if the Certificate of Sponsorship used in support of the application was assigned to him before 6 April 2015)”.
124. In paragraph 245GE(b)(iv)(2), delete “£153,500, (or £152,100 if the Certificate of Sponsorship used in support of the application was assigned to him before 6 April 2014)” and substitute “£155,300 (or £153,500 if the Certificate of Sponsorship used in support of the application was assigned to him before 6 April 2015)”.
125. At the start of paragraph 245HB(g), delete “The applicant” and substitute “Except where the period of engagement recorded by the Certificate of Sponsorship used in support of such entry clearance or leave to remain was three months or less, the applicant”.
126. In paragraph 245HB(g)(ii), delete “£153,500” and substitute “£155,300 per year”.
127. In paragraph 245HB(l), delete “£153,500” and substitute “£155,300 per year”.
128. In paragraph 245HC (d) (iii) (4) delete “.” and substitute “, and (iv) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of

age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”

129. At the start of paragraph 245HD(k), delete “The applicant” and substitute “Except where the period of engagement recorded by the Certificate of Sponsorship used in support of such entry clearance or leave to remain was three months or less, the applicant”.
130. In paragraph 245HD(k)(iii), delete “£153,500” and substitute “£155,300 per year”.
131. In paragraph 245HD(o), delete “£153,500” and substitute “£155,300 per year
132. In paragraph 245HE (d) (ii) delete “and”. In (d) (iii) (4) delete “.” and substitute “, and (iv) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”
133. Delete paragraph 245HF(c)(vi) and substitute:

“(vi) as a Tier 1 Migrant, other than a Tier 1 (Post Study Work) Migrant or a Tier 1 (Graduate Entrepreneur) Migrant,”.
134. After paragraph 245ZL (e) (iii) insert “(f) study subject to the condition set out in Part 15 of these Rules.”
135. In paragraph 245ZO(f)(ii) after “Appendix” delete “Q” and insert “7, and”.
136. After paragraph 245ZO(f)(ii) insert:

“(iii) satisfy the Entry Clearance Officer or Immigration Officer that, throughout their employment in the UK, the employer intends to pay them at least the National Minimum Wage rate to which they are entitled by the law in force at the relevant time; and

(iv) provide a written and signed statement from the employer confirming that the applicant is an employee and the work that will be carried out by the applicant will not constitute work within the meaning of paragraph 2(2) of the National Minimum Wage Regulations 1999 (as amended from time to time).”
137. Delete paragraph 245ZO(i) and substitute:

“(i) The Entry Clearance Officer or Immigration Officer must be satisfied that:

(i) the applicant genuinely intends to undertake, and is capable of undertaking, the role recorded by the Certificate of Sponsorship Checking Service; and

(ii) the applicant will not undertake employment in the United Kingdom other than under the terms of paragraph 245ZP(f)(iii); and

- (iii) where the Certificate of Sponsorship Checking Service records the applicant as being sponsored in the international agreement sub-category of Tier 5 (Temporary Workers) to work as a private servant in a diplomatic household, the applicant's employer intends to pay the applicant, throughout their employment in the UK, at least the National Minimum Wage rate to which they are entitled by the law in force at the relevant time.”
138. In paragraph 245ZP(f) (ii) delete “and”. At the end of (iv) insert “(v) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”
139. Delete paragraph 245ZQ(b)(ii) and substitute with: “245ZQ(b)(ii) entry clearance, leave to enter or leave to remain as a visitor who has been in the UK undertaking permitted activities in the sports or creative sectors, provided:
- (1) the Certificate of Sponsorship Checking Service reference for which he is being awarded points in this application shows that he is being sponsored in the creative and sporting subcategory; and
- (2) the Certificate of Sponsorship reference number was allocated to the applicant before he entered the UK as a visitor (excluding visitors for permitted paid engagements, marriage or civil partnership or transit), or”
140. In paragraph 245ZQ(e)(ii) after “Appendix” delete “Q” and insert “7”.
141. Delete 245ZQ(k) and substitute:
- “(k) The Secretary of State must be satisfied that:
- (i) the applicant genuinely intends to undertake, and is capable of undertaking, the role recorded by the Certificate of Sponsorship Checking Service; and
- (ii) the applicant will not undertake employment in the United Kingdom other than under the terms of paragraph 245ZR(h)(iii); and
- (iii) where the Certificate of Sponsorship Checking Service records the applicant as being sponsored in the international agreement sub-category of Tier 5 (Temporary Workers) to work as a private servant in a diplomatic household, the applicant's employer intends to pay the applicant, throughout their employment in the UK, at least the National Minimum Wage rate to which they are entitled by the law in force at the relevant time.”
142. After paragraph 245ZQ(n) insert:

- “(o) Where the Certificate of Sponsorship Checking Service records the applicant as being sponsored in the international agreement sub-category of Tier 5 (Temporary Workers) to work as a private servant in a diplomatic household, the applicant must provide a written and signed statement from the employer confirming that the applicant is an employee and the work that will be carried out by the applicant will not constitute work within the meaning of paragraph 2(2) of the National Minimum Wage Regulations 1999 (as amended from time to time).”
143. After paragraph 245ZR (h) (iv) insert “(v) study subject to the condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”
 144. In paragraph 245ZV(e)(i)(1), delete “Tier 4 General Sponsor Licence” substitute “Tier 4 sponsor licence”.
 145. In paragraph 245ZV(ga)(i), delete “sponsored by a Sponsor that is a Recognised Body” substitute “sponsored by a Recognised Body”.
 146. In paragraph 245ZV(ga)(ii), delete “sponsored by a Sponsor that is a Recognised Body” substitute “sponsored by a Recognised Body”.
 147. In paragraph 245ZW(c)(iii)(1)(a), delete “sponsored by a Sponsor that is a Recognised Body” substitute “sponsored by a Recognised Body”.
 148. In paragraph 245ZW(C)(iii)(2), delete “sponsored by a Sponsor that is a Recognised Body” substitute “sponsored by a Recognised Body”.
 149. In paragraph 245ZW(c)(iii)(3), delete “sponsored by a Sponsor that is a publicly funded further education college,” substitute “sponsored by a publicly funded further education college,”.
 150. In paragraph 245ZW(c)(iii)(4)(ii)(a), delete “sponsored by a Sponsor that is a Recognised Body” substitute “sponsored by a Recognised Body”.
 151. In paragraph 245ZW(c)(iii)(5), delete “the applicant’s Sponsor” substitute “the applicant’s sponsor”.
 152. In paragraph 245ZW(c)(iii)(7), delete “UK Border Agency” substitute “Home Office”.
 153. In paragraph 245ZW(c)(iii)(7), delete “Sponsor that is a Recognised Body” substitute “Recognised Body”.
 154. In paragraph 245ZW(c)(iii)(8)(b), delete “Sponsor that is a Recognised Body” substitute “Recognised Body”.
 155. Delete paragraph 245ZW(c)(iv), substitute “(iv) no study except:

(1) study at the institution that the Confirmation of Acceptance for Studies Checking Service records as the migrant's sponsor, unless:

(a) the migrant is studying at an institution which is a partner institution of the migrant's sponsor; or

(b) until such time as a decision is received from the Home Office on an application which is supported by a Confirmation of Acceptance for Studies assigned by a sponsor with Tier 4 Sponsor status and which is made while the applicant has extant leave, and any appeal or administrative review against that decision has been determined, the migrant is studying at the sponsor with Tier 4 Sponsor status that the Confirmation of Acceptance for Studies Checking Service records as having assigned such Confirmation of Acceptance for Studies to the migrant; or

(c) the study is supplementary study,

and

(2) study on the course, or courses where a pre-sessional is included, for which the Confirmation of Acceptance for Studies was assigned, unless the student:

(a) has yet to complete the course for which the Confirmation of Acceptance for Studies was assigned; and

(b) begins studying a new course at their sponsor institution, instead of the course for which the Confirmation of Acceptance for Studies was assigned, that represents academic progress (as set out paragraph 120A (b) of Appendix A to these Rules) from the course(s) preceding the migrant's last grant of leave, and:

the new course is either:

1. at a higher or the same level as the course for which the Confirmation of Acceptance for Studies was assigned; or

2. at a lower level than the course for which the Confirmation of Acceptance for Studies was assigned, provided that the requirements and conditions of the migrant's grant of leave as at the date of commencement of the new course are the same requirements and conditions to which the migrant's leave would have been subject had he made an application to study at that lower level under the Rules in force at the time of commencement of the new course,

and

(3) subject to (1) and (2) above, study on a course (or period of research) to which paragraph 245ZV(da) applies only if the migrant holds a valid Academic Technology Approval Scheme certificate

issued prior to the commencement of the course (or period of research) that specifically relates to the course (or area of research) and to the institution at which the migrant undertakes such course (or period of research). Where:

(a) the migrant's course (or research) completion date reported on the Confirmation of Acceptance for Studies is postponed or delayed for a period of more than three calendar months, or if there are any changes to the course contents (or the research proposal), the migrant must apply for a new Academic Technology Approval Scheme certificate within 28 calendar days; and

(b) the migrant begins studying a new course (or period of research) as permitted in (2) above and the new course (or area of research) is of a type specified in paragraph 245ZV(da), the migrant must obtain an Academic Technology Approval Scheme clearance certificate relating to the new course (or area of research) prior to commencing it."

156. In paragraph 245ZW(c)(v)(2), delete "assigned by a Highly Trusted Sponsor to" substitute "assigned by a sponsor with Tier 4 Sponsor status".

157. In paragraph 245ZX, delete (b)(viii).

158. In paragraph 245ZX(ea), delete sub-paragraph:

"Applicants applying for leave to remain under the doctorate extension scheme must, where required, meet the conditions of paragraph 245ZX (ea) unless they are applying for a course of study of 28 days or less.", and substitute,

"Applicants applying for leave to remain under the doctorate extension scheme are not required to meet the conditions of paragraph 245ZX (ea) if they continue to study on a course (or period of research) for which they have a valid Academic Technology Approval Scheme certificate".

159. In paragraph 245ZX(f)(i)(1), delete "Tier 4 General Sponsor Licence" substitute "Tier 4 sponsor licence".

160. In paragraph 245ZX(ha)(i), delete "sponsored by a Sponsor that is a Recognised Body" substitute "sponsored by a Recognised Body".

161. In paragraph 245ZX(ha)(ii), delete "sponsored by a Sponsor that is a Recognised Body" substitute "sponsored by a Recognised Body".

162. In paragraph 245ZX(n)(iii), delete "sponsored by a Sponsor that is a Recognised Body" substitute "sponsored by a Recognised Body".

163. In paragraph 245ZY(c)(iii)(1)(a), delete "sponsored by a Sponsor that is a Recognised Body" substitute "sponsored by a Recognised Body".

164. In paragraph 245ZY(c)(iii)(2), delete “sponsored by a Sponsor that is a Recognised Body” substitute “sponsored by a Recognised Body”.
165. In paragraph 245ZY(c)(iii)(3), delete “sponsored by a Sponsor that is a publicly funded further education college,” substitute “sponsored by a publicly funded further education college.”.
166. In paragraph 245ZY(c)(iii)(4)(ii)(a), delete “sponsored by a Sponsor that is a Recognised Body” substitute “sponsored by a Recognised Body”.
167. In paragraph 245ZY(c)(iii)(5), delete “applicant’s Sponsor” substitute “applicant’s sponsor”.
168. In paragraph 245ZY(c)(iii)(7), delete “UK Border Agency” substitute “Home Office”.
169. In paragraph 245ZY(c)(iii)(7), delete “Sponsor that is a Recognised Body” substitute “Recognised Body”.
170. In paragraph 245ZY(c)(iii)(8), delete “Sponsor that is a Recognised Body” substitute “Recognised Body”.
171. In paragraph 245ZY(c)(iii)(8), delete “UK Border Agency” substitute “Home Office”.
172. In paragraph 245ZY(c)(iii)(9), delete “Sponsor that is a Recognised Body” substitute “Recognised Body”.
173. In paragraph 245ZY(c)(iii)(9), delete “UK Border Agency” substitute “Home Office”.
174. Delete paragraph 245ZY(c)(iv), and substitute
“(iv) no study except:

(1) study at the institution that the Confirmation of Acceptance for Studies Checking Service records as the migrant's sponsor, unless:

(a) the migrant is studying at an institution which is a partner institution of the migrant's sponsor; or

(b) until such time as a decision is received from the Home Office on an application which is supported by a Confirmation of Acceptance for Studies assigned by a sponsor with Tier 4 Sponsor status and which is made while the applicant has extant leave, and any appeal or administrative review against that decision has been determined, the migrant is studying at the sponsor with Tier 4 Sponsor status that the Confirmation of Acceptance for Studies Checking Service records as having assigned such Confirmation of Acceptance for Studies to the migrant; or

(c) the study is supplementary study,

and

(2) study on the course, or courses where a pre-sessional is included, for which the Confirmation of Acceptance for Studies was assigned, unless the student:

(a) has yet to complete the course for which the Confirmation of Acceptance for Studies was assigned; and

(b) begins studying a new course at their sponsor institution, instead of the course for which the Confirmation of Acceptance for Studies was assigned, that represents academic progress (as set out paragraph 120A (b) of Appendix A to these Rules) on the course(s) preceding the migrant's last grant of leave, and:

the new course is either:

1. at a higher or the same level as the course for which the Confirmation of Acceptance for Studies was assigned; or

2. at a lower level than the course for which the Confirmation of Acceptance for Studies was assigned, provided that the requirements and conditions of the migrant's grant of leave as at the date of commencement of the new course are the same requirements and conditions to which the migrant's leave would have been subject had he made an application to study at that lower level under the Rules in force at the time of commencement of the new course,

and

(3) subject to (1) and (2), study on a course (or period of research) to which paragraph 245ZX(ea) applies only if the migrant holds a valid Academic Technology Approval Scheme certificate issued prior to the commencement of the course (or period of research) that specifically relates to the course (or area of research) and to the institution at which the migrant undertakes such course (or period of research). Where:

(a) the migrant's course (or research) completion date reported on the Confirmation of Acceptance for Studies is postponed or delayed for a period of more than three calendar months, or if there are any changes to the course contents (or the research proposal), the migrant must apply for a new Academic Technology Approval Scheme certificate within 28 calendar days.

(b) the migrant begins studying a new course (or period of research) as permitted in (2) above and the new course (or period of research) is of a type specified in paragraph 245ZX(ea), the migrant must obtain an Academic Technology Approval Scheme clearance certificate from the Counter-Proliferation Department of the Foreign and Commonwealth Office relating to the new course (or area of research) prior to commencing it.”

175. Change the second paragraph numbered 245ZY(c)(iv) to “245ZY(c)(v)”.
176. In paragraph 245ZY(c)(v)(2), delete “assigned by a Highly Trusted Sponsor” substitute “assigned by a sponsor with Tier 4 Sponsor status”.
177. In paragraph 245ZZB(c)(iv)(4), delete “applicant’s Sponsor” substitute “applicant’s sponsor”.
178. Delete paragraph 245ZZB(c)(v), and substitute
“(v) no study except:

(1) study at the institution that the Confirmation of Acceptance for Studies Checking Service records as the migrant's sponsor, unless:

(a) the migrant is studying at an institution which is a partner institution of the migrant's sponsor; or

(b) until such time as a decision is received from the Home Office on an application which is supported by a Confirmation of Acceptance for Studies assigned by a sponsor with Tier 4 Sponsor status and which is made while the applicant has extant leave, and any appeal or administrative review against that decision has been determined, the migrant is studying at the sponsor with Tier 4 Sponsor status that the Confirmation of Acceptance for Studies Checking Service records as having assigned such Confirmation of Acceptance for Studies to the migrant; or

(c) the study is supplementary study,

and

(2) study on the course, or courses where a pre-sessional is included, for which the Confirmation of Acceptance for Studies was assigned, unless the student:

(a) has yet to complete the course for which the Confirmation of Acceptance for Studies was assigned; and

(b) begins studying a new course at the sponsor institution, instead of the course for which the Confirmation of Acceptance for Studies was assigned, and the new course is either:

1. at a higher or the same level as the course for which the Confirmation of Acceptance for Studies was assigned; or
2. at a lower level than the course for which the Confirmation of Acceptance for Studies was assigned, provided that the requirements and conditions of the migrant's grant of leave as at the date of commencement of the new course are the same requirements and conditions to which the migrant's leave would have been subject had he made an application to study at that lower level under the Rules in force at the time of commencement of the new course,

and

- (3) from the date on which the migrant becomes 18 years of age, study subject to the condition set out in Part 15 of these Rules.”

179. In paragraph 245ZZC, delete (b)(iii).

180. In paragraph 245ZZD(c)(iv)(4), delete “applicant’s Sponsor,” substitute “applicant’s sponsor,”.

181. Delete paragraph 245ZZD(c)(v), and substitute
“(v) no study except:

(1) study at the institution that the Confirmation of Acceptance for Studies Checking Service records as the migrant's sponsor, unless:

(a) the migrant is studying at an institution which is a partner institution of the migrant's sponsor; or

(b) until such time as a decision is received from the Home Office on an application which is supported by a Confirmation of Acceptance for Studies assigned by a sponsor with Tier 4 Sponsor status and which is made while the applicant has extant leave, and any appeal or administrative review against that decision has been determined, the migrant is studying at the sponsor with Tier 4 Sponsor status that the Confirmation of Acceptance for Studies Checking Service records as having assigned such Confirmation of Acceptance for Studies to the migrant; or

(c) the study is supplementary study,

and

(2) study on the course, or courses where a pre-sessional is included, for which the Confirmation of Acceptance for Studies was assigned, unless the student:

(a) has yet to complete the course for which the Confirmation of Acceptance for Studies was assigned; and

(b) begins studying a new course at the sponsor institution, instead of the course for which the Confirmation of Acceptance for Studies was assigned, and the new course is either:

1. at a higher or the same level as the course for which the Confirmation of Acceptance for Studies was assigned; or

2. at a lower level than the course for which the Confirmation of Acceptance for Studies was assigned, provided that the requirements and conditions of the migrant's grant of leave as at the date of commencement of the new course are the same requirements and conditions to which the migrant's leave would have been subject had he made an application to study at that lower level under the Rules in force at the time of commencement of the new course,

and

(3) from the date on which the migrant becomes 18 years of age, study subject to the condition set out in Part 15 of these Rules.”

182. In paragraph 267 after “employment” insert “and a condition on study as set out in Part 15 of these Rules.”

183. In paragraph 272 after “granted to the person with limited leave to enter or remain as a retired person of independent means” insert “subject to a condition on study as set out in Part 15 of these Rules.”

184. In paragraph 273A(iii)(1), after “visitor,” insert “short-term student or short-term student (child),”.

185. In paragraph 273B in (i) after “person with limited leave to enter or remain” insert “, subject to a condition on study as set out in Part 15 of these Rules”. In (ii) after “2 years” insert “, subject to a condition on study as set out in Part 15 of these Rules,”

186. In paragraph 273D(iv)(1), after “visitor,” insert “short-term student or short-term student (child),”.

187. In paragraph 274(vii)(1), after “visitor,” insert “short-term student or short-term student (child),”.

188. In paragraph 275 in (a) after “person with limited leave to enter or remain as a retired person of independent means” insert “, subject to a condition on study as set

out in Part 15 of these Rules,”. In (b) after “30 months” insert “, subject to a condition on study as set out in Part 15 of these Rules,”

189. In paragraph 275(a)(ii)(1), after “visitor,” insert “short-term student or short-term student (child),”.

190. After paragraph 276A00 insert:

“276A01(1). Where an applicant for leave to enter the UK remains in the UK on temporary admission or temporary release and satisfies the requirements in paragraph 276ADE(1), as if those were requirements for leave to enter not leave to remain (and except that the reference to “leave to remain” in sub-paragraph (ii) is to be read as if it said “leave to enter”), or the Secretary of State decides to grant leave to enter outside the rules on Article 8 grounds:

- (a) paragraph 276BE(1) shall apply, as if the first reference in paragraph 276BE(1) to limited leave to remain were to limited leave to enter and as if the wording from “provided that” to “under this sub-paragraph” were omitted; and
- (b) paragraph 276BE(2) shall apply, as if the reference in paragraph 276BE(2) to limited leave to remain were to limited leave to enter.

(2). Where leave to enter is granted in accordance with paragraph 276A01(1), paragraph 276BE(1) shall apply to an application for leave to remain on the grounds of private life in the UK as if for “leave to remain under this sub-paragraph” there were substituted “leave to enter in accordance with paragraph 276A01(1)”.

276A02. In all cases where:

- (a) limited leave on the grounds of private life in the UK is granted under paragraph 276BE(1) or 276DG; or
- (b) limited leave is granted outside the rules on Article 8 grounds under paragraph 276BE(2),

leave will normally be granted subject to a condition of no recourse to public funds, unless the applicant has provided the decision-maker with (i) satisfactory evidence that the applicant is destitute as defined in section 95 of the Immigration and Asylum Act 1999, or (ii) satisfactory evidence that there are particularly compelling reasons relating to the welfare of a child of a parent in receipt of a very low income.

276A03. Where a person aged 18 or over is granted limited leave to remain under this Part on the basis of long residence or private life in the UK or limited leave to enter in accordance with paragraph 276A01(1) (or limited leave to enter or remain outside the rules on Article 8 grounds), or where a person granted such limited leave to enter or remain will be aged 18 before that period of limited leave expires, the leave will, in addition to any other conditions which may apply, be granted subject to the conditions in Part 15 of these rules.”.

191. In paragraph 276BE(3) for “date of decision” substitute “date of application”.
192. In paragraph 276BE(3) delete “or 276BE(2)”.
193. In paragraph 276DE(b) after “limited leave to” insert “enter or”.
194. In paragraph 276DG(b) for “met the requirements of paragraphs 33B to 33G of the Rules,” substitute “demonstrated sufficient knowledge of the English language or about life in the UK in accordance with Appendix KoLL,”.
195. At the end of paragraph 276AE insert: “Study will be subject to a condition as set out in Part 15 of these Rules.”
196. At the end of paragraph 276AH insert: “Study will be subject to a condition set out in Part 15 of these Rules where the applicant is 18 years of age or over at the time their leave is granted, or will be aged 18 before their period of limited leave expires.”
197. In paragraph 276BA1 after “5 years” insert “, subject to a condition on study as set out in Part 15 of these Rules,”
198. In paragraph 276BJ1 after “5 years” insert “, subject to a condition on study as set out in Part 15 of these Rules,”
199. After paragraph 276BS1(ii) insert a new paragraph starting at 276BT1 as below:

“Parent of a Tier 4 (child) student

Requirements for leave to enter or remain as the parent of a Tier 4 (child) student

276BT1 The requirements to be met by a person seeking leave to enter or remain in the United Kingdom as the parent of a Tier 4 (child) student is that the parent is over 18 years old and:

(i) is genuinely seeking leave to enter or remain for a period of up to 12 months to be the sole carer for their child who is under 12 years of age and attending or seeking to attend an independent fee paying day school in the United Kingdom, provided the child:

- a) meets the requirements of paragraph 245ZZA if seeking leave to enter as a Tier 4 (Child) Student, or
- b) meets the requirements of paragraph 245ZZC if seeking leave to remain as a Tier 4 (Child) Student;

(ii) will maintain and accommodate himself, the child and any other dependants adequately out of resources available to him without recourse to public funds or taking employment;

(iii) can provide satisfactory evidence of adequate and reliable funds for maintaining a second home in the United Kingdom;

(iv) is not seeking to make the United Kingdom their main home;

(v) does not intend to take employment, to produce goods or provide services within the United Kingdom including the selling of goods or services direct to members of the public;

(vi) does not intend to study in the UK;

(vii) the parent was not last admitted to the United Kingdom under the Approved Destination Status Agreement with China;

(viii) if seeking leave to remain must not be in the UK in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

Leave to enter or remain as the parent of a Tier 4 (child) student

276BU1 A person seeking leave to enter or remain in the United Kingdom as the parent of a Tier 4 (child) student may be admitted or allowed to remain for a period not exceeding 12 months, subject to a condition prohibiting employment, study and recourse to public funds, provided the Immigration Officer or, in the case of an application for limited leave to remain, the Secretary of State is satisfied that each of the requirements of paragraph 276BT1 is met.

Refusal of leave to enter or remain as the parent of a Tier 4 (child) student

276BV1 Leave to enter or remain in the United Kingdom as the parent of a Tier 4 (child) student is to be refused if the Immigration Officer or, in the case of an application for limited leave to remain, the Secretary of State is not satisfied that each of the requirements of paragraph 276BT1 is met.”

200. In paragraph A279 for “398-399D” substitute “A398-399D”.

201. After paragraph A280A insert:

“A280AA. Where a person aged 18 or over is granted limited leave to enter or remain under Part 8 of these rules, or where a person granted such limited leave to enter or remain will be aged 18 before that period of limited leave expires, the leave will, in addition to any other conditions which may apply, be granted subject to the condition in Part 15 of these rules.”.

202. In paragraph 289A (iii) delete final “and”.

203. In paragraph B320(2) after “9”, insert “9A,”.

204. In paragraph 319C(b)(iv) after “further leave to remain”, insert “, or has been refused indefinite leave to remain solely because the applicant has not met the requirements of paragraph 319E(g),”.

205. Delete paragraph 319C(h)(i) and substitute with:

“319C(h)(i) entry clearance or leave as a:

(a) visitor, including where they entered the United Kingdom from the Republic of Ireland to stay under the terms of articles 3A and 4 of the Immigration (Control of Entry through the Republic of Ireland) Order 1972 (as amended by the Immigration (Control of Entry through Republic of Ireland) (Amendment) Order 2014) on the basis of a visa issued by the Republic of Ireland authorities endorsed with the letters “BIVS” for the purpose of travelling and staying in the Republic for a period of 90 days or fewer; or

(b) short-term student or short term student (child); or

(c) parent of a Tier 4 (child) student

unless the Relevant Points Based System Migrant has, or is being granted, leave to remain as a Tier 5 (Temporary Worker) Migrant in the creative and sporting subcategory on the basis of having met the requirement at paragraph 245ZQ(b)(ii);”

206. Delete paragraph 319H(h)(i) and substitute with:

“319H(h)(i) entry clearance or leave as a:

(a) visitor, including where they entered the United Kingdom from the Republic of Ireland to stay under the terms of articles 3A and 4 of the Immigration (Control of Entry through the Republic of Ireland) Order 1972 (as amended by the Immigration (Control of Entry through Republic of Ireland) (Amendment) Order 2014) on the basis of a visa issued by the Republic of Ireland authorities endorsed with the letters “BIVS” for the purpose of travelling and staying in the Republic for a period of 90 days or fewer; or

(b) short-term student (child)

unless the Relevant Points Based System Migrant has, or is being granted, leave to remain as a Tier 5 (Temporary Worker) Migrant in the creative and sporting subcategory on the basis of having met the requirement at paragraph 245ZQ(b)(ii);”

207. After paragraph 320(2) insert:

“(2A)

Failure, if required to do so, by a person seeking entry to the United Kingdom to provide a criminal record certificate from the relevant authority in any country in which they have been resident for 12 months or more, in the past 10 years. Such evidence will not normally be required where:

- i. The applicant is aged 17 years old or under at the date the application is made;
or
 - ii. It is not reasonably practicable for the applicant to obtain such evidence from the relevant authorities.”
208. In paragraph 320 (7B) (iv) delete “the removal decision” and substitute “liability for removal”.
209. After paragraph 323(vi) delete:
- “.”
- And insert:
- “; or
- (vii) if, without a reasonable explanation, he fails to comply with a request made by or on behalf of the Secretary of State under paragraph 39D.”
210. In paragraph 323A(a)(ii)(1), delete “Sponsor,” substitute “sponsor”.
211. In paragraph 323A(a)(ii)(2), delete “Sponsor” substitute “sponsor”
212. In paragraph 323A(a)(ii)(3), delete “Sponsor” substitute “sponsor”.
213. In paragraph 323A(a)(ii)(4), delete “Sponsor” substitute “sponsor”.
214. In paragraph 323A(b)(i), delete “migrant’s Sponsor” substitute “migrant’s sponsor”.
215. In paragraph 323A(b)(ii), delete “migrant’s Sponsor” substitute “migrant’s sponsor”.
216. In paragraph 323A(b)(ii)(4), delete “but the Sponsor licence” substitute “but the sponsor licence”.
217. In paragraph 323A(b)(ii)(4), delete “allow the Sponsor” substitute “allow the sponsor”.
218. In paragraph 323AA(a), delete “absent from work without pay for one calendar month or more in total” and substitute “absent from work without pay for 30 days or more in total”.
219. In paragraph 323C(b), delete “loses its status as a Highly Trusted Sponsor under Tier 4 of the Points-Based System (for whatever reason),” substitute “ceases to be a sponsor with Tier 4 Sponsor status”.
220. In paragraph 333C, after “An application may be treated as impliedly withdrawn if an applicant” insert “leaves the United Kingdom without authorisation at any time

prior to the conclusion of his or her asylum claim, or fails to complete an asylum questionnaire as requested by the Secretary of State or”

221. In paragraph 353 delete “asylum” and substitute “protection”.
222. In paragraph 339Q(i), after “The UKRP”, delete “will” and insert “may”.
223. In paragraph 339Q(i), after “a danger to the community of the UK”, insert, “or the person’s character, conduct or associations otherwise require.”
224. In paragraph 339Q(ii), after “The UKRP”, delete “will” and insert “may”.
225. In paragraph 339Q(ii), after “a danger to the community of the UK”, insert, “or the person’s character, conduct or associations otherwise require.”
226. In paragraph 339Q(iii), after “A UKRP”, delete “will” and insert “may”.
227. In paragraph 339R, after “in line with the main applicant”, insert “or any dependant granted in accordance with the requirements of paragraphs 352A to 352FJ of these Rules (Family Reunion)”
228. In paragraph 339R (iii)(d), before “been convicted of”, insert “within the 24 months prior to the date on which the application has been decided”
229. In paragraph 339R (iii)(d), after “been convicted of”, insert “or admitted”
230. In paragraph 339R (iii)(d), after “criminal record”, delete “unless a period of 24 months has passed since they received their sentence”
231. In paragraph 339R(iii)(e), after “the Secretary of State”, insert “caused serious harm by their offending or” and after, “disregard for the law” delete “unless a period of seven years has passed since the most recent sentence was received”
232. In paragraph 339R(iii), after 339R(iii)(e), add, “(f) or in the view of the Secretary of State, at the date on which the application has been decided, demonstrated the undesirability of granting settlement in the United Kingdom in light of his or her conduct (including convictions which do not fall within paragraphs 339R(iii)(a-e)), character or associations; or the fact that he or she represents a threat to national security”.
233. After paragraph 352G(c) insert “ **Restriction on study** 352H Where a person is granted leave in accordance with the provisions set out in Part 11 of the Immigration Rules that leave will, in addition to any other conditions which may apply, be granted subject to the condition in Part 15 of these Rules.”
234. After Part 14 add:

“Part 15 Condition to hold an Academic Technology Approval Scheme (ATAS) clearance certificate.

417. Where these Rules refer to leave to enter or remain in the United Kingdom being granted to an individual, subject to the conditions set out in this Part 15, such condition is as set out in (i) and (ii) below:

(i) no study which is:

(a) undergraduate or postgraduate study leading to a Doctorate or Masters degree by research in one of the disciplines listed in paragraph 1 of Appendix 6 of these Rules, or

(b) undergraduate or postgraduate study leading to a taught Masters degree or other postgraduate qualification in one of the disciplines listed in paragraph 2 of Appendix 6 of these Rules, or

(c) a period of study or research in excess of 6 months in one of the disciplines listed in paragraphs 1 or 2 of Appendix 6 of these Rules at an institution of higher education where this forms part of an overseas postgraduate qualification,

unless the migrant has obtained a valid Academic Technology Approval Scheme clearance certificate from the Counter-Proliferation Department of the Foreign and Commonwealth Office which was issued to the migrant prior to the commencement of such study and that specifically relates to the course or area of research the migrant wishes to undertake and to the institution at which the applicant wishes to undertake it, and the migrant has provided a print-out of the certificate to the institution, and

(i) if the migrant is undertaking a course or a period of research of a type specified in (i) above and his course (or research) completion date is postponed or delayed for a period of more than three calendar months or there are any changes to the course contents (or the research proposal), the migrant must apply for a new Academic Technology Approval Scheme clearance certificate within 28 calendar days, and must provide a print-out of the new certificate to the institution promptly after this is made available by the Counter-Proliferation Department of the Foreign and Commonwealth Office.”

235. Delete Appendix 1.

236. In Appendix 6 delete “ for the purposes of paragraphs 245ZV and 245ZX of these Rules.”

237. In Appendix 7 delete:

“Statement of the terms and conditions of employment of an overseas domestic worker in a private household in the United Kingdom

This form must be completed and signed by the employer, signed by the overseas domestic worker and submitted with the entry clearance application or with the leave to remain application as required by paragraphs 159A(v), 159D(iv) and 159EA(iii) of the Immigration Rules. Please complete this form in capitals

Name of employee:

Name of employer:

1. Job Title:

2. Duties/Responsibilities:

3. Date of start of employment in the UK:

4. Employer's address in the UK:

5. Employee's address in the UK (if different from 4 please explain):

6. Employee's place of work in the UK (if different from 4 please explain):

7. Rate of Pay per week/month:

Note: By signing this document, the employer is declaring that the employee will be paid in accordance with the National Minimum Wage Act 1998 and any Regulations made under it for the duration of the employment.

8. Hours of work per day/week:

Free periods per day:

Free periods per week:

9. Details of sleeping accommodation:

10. Details of Holiday entitlement:

11. Ending the employment:

Employee must give weeks notice if he/she decides to leave his/her job.

Employee is entitled to weeks notice if the employer decides to dismiss him/her.

Employee is employed on a fixed-term contract until (date) [if applicable].

Signed Date (Employer)

I confirm that the above reflects my conditions of employment:

Signed Date (Employee)"

and substitute with:

“Overseas Domestic Worker

Employment contract

Two copies of this form must be completed and signed by the employer and the overseas domestic worker and submitted with the entry clearance application or with the leave to remain application as required by paragraphs 159A(v), 159D(iv), 159EA(iii), 245ZO(f)(ii), and 245ZQ(e)(ii) of the Immigration Rules.

1. Name & address of Employee

[insert details]

2. Name & address of Employer

[insert details]

3. Commencement of Employment & Termination

1. *[If for an indefinite term]*

[The Employee's employment with the Employer commence[s **OR** d] on [insert date], and will continue unless or until terminated in accordance with the provisions of this agreement.]

[If for a fixed term]

[The Employee's employment with the Employer shall [commence **OR** be deemed to have commenced] on [insert date] and shall continue, subject to the remaining terms of this agreement, until it terminates on [insert date] without the need for notice unless previously terminated by either party giving the other not less than [insert number*] weeks/months' notice in writing.]

*** Note: the notice to be given by the Employer must not be less than the statutory minimum period of notice to be given by employers, which is as follows:**

- **during the first two years' continuous employment, one week's notice; and**
 - **after that, one additional week for each year of service, up to a maximum of twelve weeks' notice.**
2. No employment with a previous employer counts as part of a period of continuous employment. **OR** The Employee's employment with [insert name of previous employer] forms part of a continuous period of employment which began on [insert date].

4. Job Title

The Employee is employed as [insert job title] and his/her duties are set out below:

[insert Employee's duties]

5. Employee's Place of Work

The Employee's place of work is [insert location].

[If this is where the Employer resides, then the following information should be provided]:

- Total number of rooms;
- Total number of bedrooms;
- The names and ages of all household members and domestic staff (adults and minors) residing in the house.

[If the Employee's place of work is different to the Employer's residence, the Employer is to provide an explanation, including details of where the Employee will be working and who lives at that address]

6. Employee's Hours of Work

1. The Employee's normal hours of work are [*insert number*] hours per week, to be worked during the hours of [*insert time*] to [*insert time*] on [*insert days*] with a daily [paid **OR** unpaid] lunch break of [*insert amount*].
2. [The Employee is not required to work overtime]

OR

[The Employee is required to be available to work overtime, whenever needed by the Employer at weekends, on public holidays or at other times outside his/her normal hours of work.]

OR

[The Employee may, if he/she wishes, make himself/herself available to work overtime outside his/her normal hours of work.]

OR

[The Employee may be required to work overtime if and when the Employer deems it to be necessary.]

[If the Employee works overtime, then complete the following paragraph]

3. [The Employee's entitlement to pay for working overtime is as follows:

[*insert details of overtime pay*]

7. Pay

The Employee's [salary is **OR** wages are] £[*enter figure*] per [hour **OR** week **OR** month **OR** year] payable to the Employee at [weekly **OR** monthly] intervals in arrears on[or about] the [*insert day i.e. Friday OR last working day OR insert date i.e. 25th*] of each [week **OR**

month].

The Employer agrees that the salary **OR** wages meet the requirements of the National Minimum Wage Act 1996 and any Regulations made under it, and that they will continue to meet such requirements throughout the period of employment.

8. Holiday

1. The Employee will be entitled to [enter number –under the Working Time Regulations 1998, this must be at least 20 days for full – time employees, pro rata for part – time employees] days’ paid holiday in each holiday year, which runs from [enter date, e.g. 1 January] to [enter date, e.g. 31 December], in addition to bank and public holidays. If the Employee’s employment starts or finishes part way through the holiday year, his/her holiday entitlement during that year shall be calculated on a pro-rata basis.
2. The Employee must take all of his/her entitlement in the holiday year in which it accrues and carrying forward holiday is not permitted unless[either agreed in advance by the Employer or where] the law allows holiday to be carried forward.
3. On the termination of the Employee’s employment, he/she will be paid in lieu of accrued but untaken holiday entitlement. The Employee will be required to pay the Employer for holiday taken in excess of his/her accrued entitlement on termination.

9. Sickness

1. If the Employee is absent from work for any reason, he/she, or someone on his/her behalf, must inform the Employer by no later than [insert time] on the first day of absence. On the Employee’s return to work, he/she will be required to complete a self-certification form, which he/she should complete, sign and return within [insert number e.g. two days] of his/her return to work. If the Employee’s absence from work is due to sickness or injury and continues for a period exceeding seven consecutive days, he/she should provide the Employer with a Statement of Fitness for Work (‘fit note’) from his/her doctor as soon as possible after the seventh day of absence and weekly after that.
2. **[[IF SICK PAY:]** In the event of absence from work due to illness or injury, the Employee will be eligible to receive an amount equivalent to his/her salary **OR** wages for the first [insert number] weeks of absence. Such payments will include any entitlement to any statutory sick pay due in accordance with applicable legislation in force at the time of the absence.

OR

[IF STATUTORY SICK PAY ONLY:]There is no pay for any absence due to illness or injury, other than statutory sick pay if the Employee is eligible. For the purpose of statutory sick pay, the Employee's 'qualifying days' are [*insert the [Employee's normal working days]*]

10. Recruitment, transportation, and other fees

The Employer shall not recoup from the Employee, through payroll deductions or any other means, the fees they have paid to a third party recruiter or recruitment agency, or their authorised representative(s) for services related to hiring and retaining the Employee.

The Employer agrees to pay the Employee's transportation costs for the journey from his/her place of current residence to the place of work in the United Kingdom, namely from _____(country of current residence) to _____(place of work in United Kingdom) as well as the return journey from _____(place of work in United Kingdom) to _____(country of current residence). It is the Employer's obligation and responsibility to pay for the transportation costs and they cannot be passed on to the Employee through payroll deductions or any other means (for example, the Employee must not pay the transportation on behalf of the Employer to be reimbursed at a later date). Under no circumstances are transportation costs recoverable by the Employer from the Employee.

The Employer agrees to pay in advance on behalf of the Employee any visa application fees and any other fees that may be payable by the Employee in order to obtain a visa to travel to the United Kingdom with their Employer or to join the Employer in the UK.

11. Accommodation

1. The Employer shall provide the Employee with suitable furnished accommodation for their exclusive use. Suitable accommodation is housing or a hotel room that meets UK building requirements and health and safety standards. This includes a private unit or a room with a lock and which therein provides living and sleeping facilities intended for human habitation with no visible or structural repairs required.

2. The Employer agrees to provide the Employee with [meals] [delete if not applicable], [and] an adequate, properly heated, and ventilated room with natural light. The door of the room shall be equipped with a lock and a safety bolt from within the room and the Employee will be provided with the corresponding key.

3. The Employer shall provide the Employee with independent access to the residence (for example, house keys, security code) where the Employee resides.

4. The Employer agrees to provide the Employee with (check if applicable):

Private bathroom

Telephone (charge of £_____ per month or no charge ___ except for long-distance calls)

Radio (in his/her room)

Television (in his/her room)

Internet access (charge of £_____ per month or _____ no charge)

Other, specify:

[Description of Employee's room and furnishings]

12. Healthcare

1. The Employer agrees to provide comprehensive sickness insurance cover for the Employee in the United Kingdom at no cost to the Employee.

2. The Employer agrees not to deduct money from the Employee's salary **OR** wages for this purpose.

3. The Employer undertakes to ensure that the Employee has free access to medical treatment as the Employee requires.

13. Passport

The Employer agrees that the Employee will retain custody of his/her passport at all times other than when it is required by a third party for official purposes such as applying for a visa.

14. Termination and Notice Period

[To only be used when the employment is for an indefinite term]

The prior written notice required by the Employee to terminate his/her employment shall be as follows:

[insert details]

The prior written notice required by the Employer to terminate the Employee's employment shall be as follows:

[insert details]

Note: this must not be less than the statutory minimum period of notice to be given by employers, which is as follows:

- *during the first two years' continuous employment, one week's notice; and*
- *after that, one additional week for each year of service, up to a maximum of twelve weeks' notice.*

15. Grievances and Disciplinary Rules and Procedure

1. If the Employee has a grievance regarding his/her employment, he/she should in the first instance speak to his/her *Employer*. If the grievance is not then resolved to the Employee's satisfaction, the Employee should refer to the grievance procedure, which may be obtained from the Employer.
2. The disciplinary rules and procedure applicable to the Employee are [attached **OR** to be found in [*specify place*]]. If the Employee is dissatisfied with any disciplinary decision taken in relation to him/her, he/she should refer to the disciplinary procedure, which may be obtained from the Employer.

1.

- 2. Note: the Employer's grievance procedure and disciplinary rules and procedure must comply with the ACAS statutory Code of Practice on discipline and grievance.*

16. Pensions

1. [The Employee is entitled to become a member of the [*insert name*] Pension Scheme, or such other registered pension scheme as has been set up by the Employer, subject to satisfying certain eligibility criteria and subject to the rules of such scheme as amended from time to time. Full details of the scheme are available from the Employer.

OR

[There is no pension scheme in force in relation to the Employee's employment.]

2. A contracting-out certificate is [not] in force in respect of the Employee's employment.

17. Governing Law & Jurisdiction

1. This agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.
2. Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this agreement or its subject matter or formation (including non-contractual disputes or claims).

Signature of Employer

I accept the terms and conditions of this employment contract.

Given name as stated on passport (print):

Surname as stated on passport (print):

EMPLOYER'S Signature:

Date (DD/MM/YYYY):

Signature of Employee

I accept the terms and conditions of this employment contract.

Given name as stated on passport (print):

Surname as stated on passport (print):

EMPLOYEE’S Signature:

Date (DD/MM/YYYY)

”

- 238. In Appendix A, in paragraph 7, delete “leave to remain or”.
- 239. In Appendix A, in paragraph 8, delete “leave to remain or”.
- 240. In Appendix A, in the title of Table 2, delete “leave to remain and”.
- 241. In Appendix A, in the title of Table 3, delete “leave to remain and”.
- 242. In Appendix A, delete the header row and first row of Table 4 and substitute:

“

Investment and business activity	Points
(a) The applicant has access to not less than £200,000, or (b) The applicant has access to not less than £50,000 from: (i) one or more registered Venture Capitalist firms regulated by the Financial Conduct Authority (FCA), (ii) one or more UK Entrepreneurial seed funding competitions which is listed as endorsed on the UK Trade & Investment website, or (iii) one or more UK Government Departments, or Devolved Government Departments in Scotland, Wales or Northern Ireland, and made available by the Department(s) for the specific purpose of establishing or expanding a UK business, or (c) The applicant: (i) is applying for leave to remain, (ii) has, or was last granted, leave as a Tier 1 (Graduate Entrepreneur) Migrant, and (iii) has access to not less than £50,000, or (d) The applicant: (i) is applying for leave to remain,	25

(ii) has, or was last granted, leave as a Tier 1 (Post-Study Work) Migrant, and

(iii) has access to not less than £50,000.

An applicant who is applying for leave to remain and has, or was last granted leave as a Tier 1 (General) Migrant will be awarded no points under (a) or (b)(i) above, unless he meets the additional requirements in (1) and (2) below.

An applicant who is applying for leave to remain and has, or was last granted leave as a Tier 1 (Post-Study Work) Migrant will be awarded no points under (d) above, unless he meets the additional requirements in (1) and (2) below.

(1) Since before the specified date below and up to the date of his application, the applicant must have been continuously engaged in business activity which was not, or did not amount to, activity pursuant to a contract of service with a business other than his own and, during such period, has been continuously:

- registered with HM Revenue & Customs as self-employed, or
- registered with Companies House as a director of a new or an existing business. Directors who are on the list of disqualified directors provided by Companies House will not be awarded points.

(2) Since before the specified date below and up to the date of his application, has continuously been working in an occupation which appears on the list of occupations skilled to National Qualifications Framework level 4 or above, as stated in the Codes of Practice in Appendix J, and provides the specified evidence in paragraph 41-SD. "Working" in this context means that the core service his business provides to its customers or clients involves the business delivering a service in an occupation at this level. It excludes any work involved in administration, marketing or website functions for the business, and.

The specified date in (1) and (2) above is:

- 11 July 2014 if the applicant has, or was last granted, leave as a Tier 1 (Post-Study Work) Migrant, or
- 6 April 2015 if the applicant has, or was last granted, leave as a Tier 1 (General) Migrant.

243. In Appendix A, after paragraph 41(b), insert:

“(c) Where the applicant has held the money for less than a consecutive 90-day period of time, ending no earlier than 31 days before the date of application, the applicant must provide the specified documents for third party funding in paragraph 41-SD, as evidence of the source of the money;”

244. In Appendix A, after new paragraph 41(c), renumber existing sub-paragraphs (c) and (d) as (d) and (e) respectively.

245. In Appendix A, in paragraph 41-SD(c)(i)(4), delete “three months” and substitute “31 days”.

246. In Appendix A, delete paragraph 41-SD(c)(i)(9) and substitute:

“(9) confirm the minimum balance available from the applicant's own funds (if applicable) that has been held in that institution during a consecutive 90-day period of time, ending on the date of the letter.”.

247. In Appendix A, in paragraph 41-SD(c)(ii), delete “a recent personal bank or building society statement” and substitute “recent personal bank or building society statements covering a consecutive 90-day period of time, with the most recent statement being dated no earlier than 31 days before the date of application,”.

248. In Appendix A, in paragraph 41-SD(c)(ii)(6), delete “and produced within the three months immediately before the date of the application”.

249. In Appendix A, delete paragraph 41-SD(c)(iii) and substitute:

“(iii) For £50,000 from a Venture Capital firm, Seed Funding Competition or UK or Devolved Government Department, a letter from:

(1) an accountant, who is a member of the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants in Scotland, the Institute of Chartered Accountants in Ireland, the Association of Chartered Certified Accountants, the Association of Authorised Public Accountants, the Chartered Institute of Public Finance and Accountancy, the Institute of Financial Accountants, the Chartered Institute of Management Accountants, or the Association of International Accountants, or

(2) in the case of money made available from a UK or Devolved Government Department only, an authorised official of either:

a. the UK or Devolved Government Department, or

b. an intermediary public body which has been authorised by the UK or Devolved Government Department to award funds from that Department for the specific purpose of establishing or expanding UK businesses.

(iv) Each letter referred to in (iii) above must:

- (1) be an original document and not a copy,
- (2) be on the organisation's official headed paper,
- (3) be dated within the three months immediately before the date of the application,
- (4) state the applicant's name, and his team partner's name where relevant, or the name of the applicant's business,
- (5) state the date of the document,
- (6) confirm the amount of money available to the applicant, the entrepreneurial team or the applicant's business from the Venture Capital firm, Seed Funding Competition or UK or Devolved Government Department,
- (7) confirm the name of the Venture Capital firm, Seed funding competition or UK or Devolved Government Department providing the funding, and
- (8) include the contact details of an official of the organisation, including their full address, postal code and, where available, landline phone number and any email address.”.

250. In Appendix A, in paragraph 41-SD(d), after “If the applicant is applying using money from a third party,” insert “which is either held by the third party or has been transferred to the applicant less than 90 days before the date of the application,”.

251. In Appendix A, in paragraph 41-SD(d)(i)(6), delete “venture capitalist firm” and substitute “Venture Capital firm”.

252. In Appendix A, delete paragraph 41-SD(d)(i)(8) and substitute:

“(8) if the third party is a UK or Devolved Government Department (or intermediary public body authorised to award funds from that Department), confirmation that the UK or Devolved Government Department has made money available for the specific purpose of establishing or expanding a UK business, and the amount,”.

253. In Appendix A, delete paragraph 41-SD(d)(ii)(7) and substitute:

“(7) if the third party is not a Venture Capital firm, Seed Funding Competition or UK or Devolved Government Department (or intermediary public body authorised to award funds from that Department), the number of the third party or their authorised representative's identity document (such as a passport or national identity card), the place of issue and dates of issue and expiry.”

254. In Appendix A, in paragraph 41-SD(e), delete:

“If the applicant is applying under the provisions in (d) in Table 4, he must also provide:”

and substitute:

“If the applicant is applying for leave to remain, and has, or was last granted, leave as a Tier 1 (General) Migrant or a Tier 1 (Post-Study Work) Migrant, he must also provide the following evidence that he meets the additional requirements set out in Table 4:”.

255. In Appendix A, in paragraph 41-SD(e)(ii), delete “11 July 2014” and substitute “11 July 2014 or 6 April 2015 (as applicable),”.

256. In Appendix A, in paragraph 41-SD(e)(iii), delete “11 July 2014” and substitute “11 July 2014 or 6 April 2015 (as applicable),”.

257. In Appendix A, delete paragraph 41-SD(e)(iii)(1) and substitute:

“(1) advertising or marketing material, including printouts of online advertising, that has been published locally or nationally

(_a) showing the applicant's name (and the name of the business if applicable) together with the business activity; or

(_b) where his business is trading online, confirmation of his ownership of the domain name of the business's website.”

258. In Appendix A, in paragraph 41-SD(e)(iv), delete “11 July 2014” and substitute “11 July 2014 or 6 April 2015 (as applicable),”.

259. In Appendix A, delete paragraph 41-SD(e)(v) and substitute:

“(v)

(1) if claiming points for being self-employed, the following specified documents to show the applicant's compliance with National Insurance requirements:

(_a) the original bills covering the continuous billing period during which the applicant claims to have been self-employed, if his Class 2 National Insurance is paid by bill;

(_b) bank statements covering the continuous period during which the applicant claims to have been self-employed, showing the direct debit payment of Class 2 National Insurance to HM Revenue & Customs;

(_c) all original small earnings exception certificates issued to the applicant by HM Revenue & Customs covering the continuous tax

period during which the applicant claims to have been self-employed, if he has low earnings; or

(_d) if the applicant has, or was last granted leave as a Tier 1 (General) Migrant and is applying before 31 October 2015, the original, dated welcome letter from HM Revenue & Customs containing the applicant's unique taxpayer reference number, if he has not yet become liable for paying National Insurance, or has not yet received the documents in (_c); or

(2)

(_a) if claiming points for being a director of a UK company at the time of his application, a printout from Companies House of the company's filing history page and of a Current Appointment Report, listing the applicant as a director of a company that is actively trading (and not dormant, or struck-off, or dissolved or in liquidation), and showing the date of his appointment as a director of that company; and

(_b) if claiming points for being a director of a UK company other than the company referred to in (_a) above, at any time before the date of his application, a printout from Companies House of the applicant's personal appointments history, showing that the applicant has held directorships continuously during the period in which he claims to have been a director, as well as a printout of the company's filing history page.

The evidence at (1) and (2) above must cover (either together or individually) a continuous period commencing before 11 July 2014 or 6 April 2015 (as applicable), and ending on a date no earlier than three months before the date of his application. The only exception is if the applicant is claiming points for being self-employed at the time of his application, and the evidence consists of documents issued by HM Revenue & Customs referred to at (v)(1)(_a) or (_c) above. If this is the case, the applicant must submit the most recent document issued before the date of his application; and”.

260. In Appendix A, delete paragraph 41-SD(e)(vii) and substitute:

“(vii) the following evidence that the business has a UK bank account of which the applicant is a signatory:

(1) if the applicant is currently self-employed, a personal or business bank statement, showing transactions for his business (which must be currently active), or a letter from the UK bank in question, on its headed paper, confirming that he has a business and acts through that bank for the purposes of that business, or

(2) if the applicant is currently a director, a company bank statement showing that the company has a UK account and transactions for that company, or a letter from the UK bank in question, on its headed paper,

confirming that the company has a bank account and the applicant is a signatory of that account,

and the evidence at (vi) and (vii)(2) above must relate to a company that is actively trading and not dormant, or struck-off, or dissolved or in liquidation.”

261. In Appendix A, in Table 6, in the “Points” column of Row 4, delete “35” and substitute “15”.

262. In Appendix A, in paragraph 46-SD(e), delete “If some of the money has been invested into a business in the UK,” and substitute “(e) If the applicant scores points from paragraph 45 above and only some of the money has been invested into a business in the UK,”.

263. In Appendix A, delete paragraph 46-SD(f)(ii) and substitute:

“(ii) If the applicant was a director of a new or existing company, he must provide a printout from Companies House of the company’s filing history page and of the applicant’s personal appointments history, showing the date of his appointment as a director of that company, which must be no more than 8 months after the specified date in the relevant table.”

264. In Appendix A, delete paragraph 46-SD(h)(iii) and substitute:

“(iii) If any of the period of employment for which points are claimed is covered by Real Time Information for PAYE, printouts of all Full Payment Submissions sent to HM Revenue & Customers, including the first one (which includes the start date of the settled worker), which are initialled by the applicant;”.

265. In Appendix A, delete paragraph 46-SD(h)(vii) and substitute:

“(vii) If the applicant was a director of a company, a printout from Companies House of the company’s filing history page and of the applicant’s personal appointments history, and showing the date of his appointment as a director of that company, to confirm that he was a director of the company that employed the settled worker at the time that the settled worker was employed;”.

266. In Appendix A, in paragraph 46-SD(h)(x), delete:

“or the Association of Authorised Public Accountants.”

and substitute:

“the Association of Authorised Public Accountants, the Chartered Institute of Public Finance and Accountancy, the Institute of Financial Accountants, the Chartered Institute of Management Accountants, or the Association of International Accountants.”

267. In Appendix A, at the end of paragraph 47, after “renting it out or resale.”, insert “The principle is that the business income must be generated from the supply of

goods and/or services, and not derived from the increased value of property or any income generated from property, such as rent.”

268. In Appendix A, delete Table 7 and substitute:

“Table 7: Applications for entry clearance or leave to remain referred to in paragraph 55

Money to invest in the UK	Points
The applicant:	75
(a) has money of his own under his control held in a regulated financial institution and disposable in the UK amounting to not less than £2 million; and	
(b) has opened an account with a UK regulated bank for the purposes of investing not less than £2 million in the UK.	

269. In Appendix A, delete:

“Money and assets: notes

59. DELETED.”

and substitute:

“UK bank account: notes

59. In the case of an application where Table 7 applies, in addition to the evidence relating to money to invest, the applicant must provide an original letter issued by an authorised official of a UK regulated bank, on the official letter-headed paper of the institution, which:

- (a) is dated within the three months immediately before the date of the application;
- (b) states the applicant’s name and account number; and
- (c) confirms that:
 - (i) the applicant has opened an account with that bank for the purposes of investing not less than £2 million in the UK; and
 - (ii) the bank is regulated by the Financial Conduct Authority for the purposes of accepting deposits.

Money and assets: notes”.

270. In Appendix A, delete paragraph 64-SD and substitute:

“64-SD. The specified document requirements in paragraph 64(a), as evidence of having held the money for the specified 90-day period, are as follows:

- (a) The applicant must provide:
 - (i) A portfolio report produced by a UK regulated financial institution, or a breakdown of investments in an original letter produced by a UK regulated financial institution, on the official letter-headed paper of the institution, issued by an authorised official of that institution. The portfolio report or letter must cover a consecutive 90-day period of time, ending no earlier than one calendar month before the date of application. The portfolio report or letter must confirm all the following:
 - (1) the amount of the money held in the investments,
 - (2) the beneficial owner of the funds,
 - (3) the date of the investment period covered,
 - (4) that the institution is a UK regulated financial institution, with the details of the registration shown on the documentation, and
 - (5) that the money can be transferred into the UK should the application be successful, if it is held abroad, or that the money has already been invested in the UK in the form of UK Government bonds, share capital or loan capital in active and trading UK registered companies, and the dates of these investments;
 - (ii) If the applicant manages his own investments, or has a portfolio manager who does not operate in the UK and is not therefore regulated by the Financial Conduct Authority (FCA) (and the Prudential Regulation Authority (PRA) where applicable), he must provide one or more of the documents from the list below, as relevant to their type of investments, covering a consecutive 90-day period of time, ending no earlier than one calendar month before the date of application:
 - (1) certified copies of bond documents showing the value of the bonds, the date of purchase and the owner;
 - (2) share documents showing the value of the shares, the date of purchase and the owner,
 - (3) the latest audited annual accounts of the organisation in which the investment has been made, clearly showing

the amount of money held in the investments, the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner), and the date of investment, or, if no accounts have been produced, a certificate from an accountant showing the amount of money held in the investments, and

- (4) original trust fund documents from a legal adviser showing the amount of money in the fund, the date that the money is available and the beneficial owner, and including the name and contact details of the legal adviser and at least one of the trustees;
- (iii) Original personal bank statements on the official bank stationery from a bank that is regulated by the official regulatory body for the country in which the institution operates and the funds are located, showing the account number and the amount of money available in the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner), covering a consecutive 90-day period of time, ending no earlier than one calendar month before the date of application. The most recent statement must be no more than one calendar month old at the date of application. Electronic bank statements must be accompanied by a supporting letter from the bank on the institution's official headed paper, issued by an authorising official of that institution, confirming the content and that the document is genuine;
- (iv) If the applicant cannot provide bank statements, an original letter from a bank that is regulated by the official regulatory body for the country in which the institution operates and the funds are located. The letter must be on the institution's official headed paper, issued by an authorised official of that institution, and dated no more than one calendar month before the date of application. The letter must confirm:
- (1) the name of the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner), and that the money is available in their name(s),
 - (2) the account number,
 - (3) that the bank is regulated by the official regulatory body for the country in which the institution operates and the funds are located,
 - (4) the dates of the period covered, including both the day the letter was produced and three full consecutive months immediately before the date of the letter, and

- (5) the balance of the account to cover the required amount of money as a minimum credit balance on the date of the letter and throughout the three full consecutive months before the date of the letter;
- (b) If the funds are not held in the UK, the applicant must also provide an original letter from a bank or financial institution that is regulated by the official regulatory body for the country in which the institution operates and the funds are located, on the institution's official headed paper, issued by an authorised official of that institution, which confirms:
- (1) the name of the beneficial owner, which should be the applicant (or applicant and/or husband, wife, civil partner, or unmarried or same-sex partner),
 - (2) the account number,
 - (3) the date of the letter,
 - (4) the amount of money to be transferred,
 - (5) that the money can be transferred to the UK if the application is successful, and
 - (6) that the institution will confirm the content of the letter to the Home Office on request.

If the applicant is providing the letter in (a)(iv) above, this information may be contained in the same letter.

- (c) If specified documents are provided from accountants, the accountant must:
- (i) if based in the UK, be a member of the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants in Scotland, the Institute of Chartered Accountants in Ireland, the Association of Chartered Certified Accountants, the Association of Authorised Public Accountants, the Chartered Institute of Public Finance and Accountancy, the Institute of Financial Accountants, the Chartered Institute of Management Accountants, or the Association of International Accountants, or
 - (ii) if not based in the UK, be a member of an equivalent, appropriate supervisory or regulatory body in the country in which they operate.”

271. In Appendix A, after paragraph 64A-SD(a)(i)(3), insert:

- “(4) the relationship between the person giving the gift and the person receiving it.”.
272. In Appendix A, after new paragraph 64A-SD(a)(i)(4) above, renumber existing sub-paragraphs (4) to (7) as (5) to (8) respectively.
273. In Appendix A, after paragraph 64A-SD(a)(ii)(4), insert:
- “(5) the relationship between the person giving the gift and the person receiving it.”.
274. In Appendix A, after new paragraph 64A-SD(a)(ii)(5) above, renumber existing sub-paragraphs (5) to (9) as (6) to (10) respectively.
275. In Appendix A, after paragraph 64A-SD(a)(viii)(5), insert:
- “(6) the relationship between the person making the will and the beneficiary.”.
276. In Appendix A, after new paragraph 64A-SD(a)(viii)(6) above, renumber existing sub-paragraphs (6) to (8) as (7) to (9) respectively.
277. In Appendix A, delete paragraph 65(c) and substitute:
- “(c) Companies mainly engaged in property investment, property management or property development (meaning in this context any investment or development of property to increase the value of the property with a view to earning a return either through rent or a future sale or both, or management of property for the purposes of renting it out or resale. The principle is that business income must be generated from the supply of goods and/or services and not derived from the increased value of property or any income generated through property, such as rent.)”.
278. In Appendix A, delete paragraph 65C(a) and substitute:
- “(a) In the case of an application where Table 8A or Table 9A applies, points for maintaining the level of investment for the specified continuous period of leave will only be awarded:
- (i) if the applicant has purchased a portfolio of qualifying investments for a price of at least £2 million (or £5 million or £10 million, as appropriate); and
 - (ii) where any part of the qualifying investments in the portfolio is sold (whether at a gain or at a loss) during the specified continuous period of leave, their gross proceeds are re-invested in qualifying investments before the end of the next reporting period, or within six months of the date of completion of the sale, whichever is sooner.”
279. In Appendix A, in paragraph 65C(b)(ii), delete “by the next reporting period” and substitute “before the end of the next reporting period, or within six months of the date of completion of the sale, whichever is sooner.”.

280. In Appendix A, after paragraph 65C(b), insert:

- “(c) In the case of an application where one of Tables 8A, 8B, 9A or 9B applies:
- (i) The applicant may withdraw interest and dividend payments generated by the qualifying investments from the portfolio;
 - (ii) Fees, for example those charged by institutions for managing the portfolio, and transaction costs and tax incurred through buying and selling investments cannot be paid for from the investment funds for which the applicant scores points; and
 - (iii) If the applicant has invested more than the required level in qualifying investments, the fees, transaction costs and tax referred to in (ii) above may be paid from the surplus investment, providing the surplus investment was made at the same time or before the fees, transaction costs and tax were incurred (for example, if the applicant scores points for investing £2 million in qualifying investments, but has actually invested £2.1 million in qualifying investments, up to £100,000 in fees, transaction costs and tax may be paid for from the investment funds. The applicant must have invested £2.1 million at or by the time he pays these costs; he cannot pay out of a £2 million investment and invest a further £100,000 at a later date to compensate).”

281. In Appendix A, delete paragraph 65-SD(a) and substitute:

- “(a) The applicant must provide a series of investment portfolio reports, certified as correct by a UK regulated financial institution, which must:
- (i) cover the required period, beginning no later than the end of the 3 month timescale specified in the relevant table;
 - (ii) continue to the last reporting date of the most recent reporting period directly before the date of the application;
 - (iii) include the price of the investments;
 - (iv) certify that the total investment was maintained as required by paragraph 65C as applicable;
 - (v) show the dates that the investments were made;
 - (vi) show the destination of the investments;
 - (vii) for investments made as loan funds to companies, be accompanied by audited accounts or unaudited accounts with an accounts compilation report for the investments made, giving the full details of the applicant's investment. The accountant must be a member of the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants in Scotland, the Institute of Chartered Accountants in Ireland, the Association of Chartered

Certified Accountants, the Association of Authorised Public Accountants, the Chartered Institute of Public Finance and Accountancy, the Institute of Financial Accountants, the Chartered Institute of Management Accountants, or the Association of International Accountants;

(viii) include the name and contact details of the financial institution that has certified the portfolio as correct, and confirmation that this institution is regulated by the Financial Conduct Authority (FCA) (and the Prudential Regulation Authority (PRA) where applicable);

(ix) confirm that the investments were made in the applicant's name and/or that of his spouse, civil partner, unmarried or same-sex partner and not in the name of an offshore company or trust even if this is wholly owned by the applicant;

(x) include the date that each portfolio report was certified by the financial institution; and

(xi) state that the institution will confirm the content of the reports to the Home Office on request.”

282. In Appendix A, in paragraph 65-SD(b)(iv), delete:

“or the Association of Authorised Public Accountants.”

and substitute:

“the Association of Authorised Public Accountants, the Chartered Institute of Public Finance and Accountancy, the Institute of Financial Accountants, the Chartered Institute of Management Accountants, or the Association of International Accountants.”

283. In Appendix A, in paragraph 65-SD(e), delete “the portfolio” and substitute “the portfolio reports”.

284. In Appendix A, in the first row of, Table 10 in sub-paragraph (a)(i), substitute “has Highly Trusted Sponsor status under Tier 4 of the Points-Based System,” with “is a sponsor with Tier 4 Sponsor status,”

285. In Appendix A, in the last row of Table 10, after sub-paragraph (c), insert:

“The endorsement must also confirm the applicant’s intended business sector or business intention. Points will not be awarded if this business will be mainly engaged in property development or property management. “Property development or property management” in this context means any development of property owned by the applicant or his business to increase the value of the property with a view to earning a return either through rent or a future sale or both, or management of property (whether or not it is owned by the applicant or his business) for the purposes of renting it out or resale. The principle is that business income must be generated from the supply of goods and/or services and not derived from the

increased value of property or any income generated through property, such as rent.”

286. In Appendix A, at the end of paragraph 74C(c)(ii)(1), after “leave,”, insert “or”.

287. In Appendix A, at the end of paragraph 74C(c)(ii)(2), delete “or”.

288. In Appendix A, delete paragraph 74C(c)(ii)(3).

289. In Appendix A, delete paragraph 74C(c)(iii) and substitute:

“(iii) an aggregated period of at least 12 months overseas within any timeframe, providing the applicant has been working continuously and lawfully for the sponsor (either overseas or in the UK) since the start of that aggregated 12-month period.”

290. In Appendix A, in paragraph 75A, delete “£41,000” and substitute “£41,500”.

291. In Appendix A, in paragraph 75B, delete “£24,500” and substitute “£24,800”.

292. In Appendix A, in paragraph 77B(c), delete “£153,500 (or £152,100, if the recruitment took place before 6 April 2014)” and substitute “£155,300 (or £153,500, if the recruitment took place before 6 April 2015)”.

293. In Appendix A, in paragraph 77D(b)(ii), delete “£153,500 (or £152,100, if the recruitment took place before 6 April 2014)” and substitute “£155,300 (or £153,500, if the recruitment took place before 6 April 2015)”.

294. In Appendix A, in the fourth row of Table 11B, delete “at least £71,600 per year (or £71,000 per year if the job was advertised before 6 April 2014)” and substitute “at least £72,500 per year (or £71,600 per year if the job was advertised before 6 April 2015)”.

295. In Appendix A, in paragraph 78C(a), delete “£153,500 (or £152,100, if the recruitment took place before 6 April 2014)” and substitute “£155,300 (or £153,500, if the recruitment took place before 6 April 2015)”.

296. In Appendix A, in paragraph 79A, delete “£20,500” and substitute “£20,800”.

297. In Appendix A, delete paragraph 79A(b) and substitute:

“(b) the Certificate of Sponsorship checking service entry records the applicant:

(i) is being sponsored as a pre-registration candidate nurse or candidate midwife on the basis that:

(1) the applicant obtained a Nursing and Midwifery Council permission before 30 March 2015 to undertake the Overseas Nursing Programme or the Adaptation to Midwifery Programme, and is being sponsored to undertake a supervised

practice placement as part of the programme, which has been approved by the Nursing and Midwifery Council, or

- (2) the applicant will sit an Observed Structured Clinical Examination (OSCE) to obtain Nursing and Midwifery Council registration no later than 3 months after the stated employment start date, and familiarisation training will be permitted until the application for registration with the Nursing and Midwifery Council Registration is either successfully completed, otherwise closed, or 8 months, whichever is earlier;

and

- (ii) will continue to be sponsored as a nurse or midwife by the Sponsor after achieving Nursing and Midwifery Council registration; and
- (iii) will be paid at least £20,500 per year once that registration is achieved;

and the applicant or his Sponsor provides evidence of the above, if requested to do so.”.

298. In Appendix A, in paragraph 79A(b)(iii), as amended above, delete “£20,500” and substitute “£20,800”.
299. In Appendix A, in the third column of Table 11D, delete “£20,500” and substitute “£20,800”.
300. In Appendix A, in the third column of Table 11D, delete “£153,499.99” and substitute “£155,299.99”.
301. In Appendix A, in paragraph 82A(iii), delete “1,725 Certificates of Sponsorship each month” and substitute “2,550 Certificates of Sponsorship in the first month of each limit year, and 1,650 Certificates of Sponsorship in each subsequent month”.
302. In Appendix A, in paragraph 83(b), delete “1,725 Certificates of Sponsorship” and substitute “the provisional monthly allocation set out in paragraph 82A(iii)”.
303. In Appendix A, delete paragraphs 115B to 115I (inclusive, as well as the heading “Tier 4 Interim Limit” which precedes paragraph 115B.
304. In Appendix A, in paragraph 116(c), delete “the Sponsor” substitute “the sponsor”
305. In Appendix A, in paragraph 116(d), delete “institution with a Tier 4 (General) Student Sponsor Licence,” substitute “institution with a Tier 4 sponsor licence,”.
306. In Appendix A, in paragraph 116(da), delete “the Sponsor must hold an A-rated or Highly Trusted Sponsor Licence and must not be a Legacy Sponsor,” substitute “the sponsor must not be a Legacy Sponsor,”.

307. In Appendix A, in paragraph 116(db), delete “issued by a Legacy Sponsor or a B-rated sponsor,” substitute “issued by a Legacy Sponsor,”.
308. In Appendix A, in paragraph 116(f)(vi), delete “the Tier 4 Sponsor” substitute “the Tier 4 sponsor”.
309. In Appendix A, in paragraph 116(f)(ix), delete “the Tier 4 Sponsor;” substitute “the Tier 4 sponsor;”.
310. In Appendix A, in paragraph 116(h), delete “Sponsor that is a Recognised Body” substitute “Recognised Body”.
311. In Appendix A, in paragraph 117(a), delete “the Sponsor” substitute “the sponsor”.
312. In Appendix A, in paragraph 117(b), delete “the Sponsor” substitute “the sponsor”.
313. In Appendix A, in paragraph 117(b), delete “UK Border Agency” substitute “Home Office”.
314. In Appendix A, in paragraph 118(a), delete “course from the Sponsor” substitute “course from the sponsor”.
315. In Appendix A, in paragraph 118(a), delete “sponsored by a Highly Trusted Sponsor,” substitute “sponsored by a sponsor with Tier 4 Sponsor status,”.
316. In Appendix A, in paragraph 118(a), delete “UK Border Agency” substitute “Home Office”.
317. In Appendix A, in paragraph 118(b)(i), delete “Sponsor that is a Recognised Body” substitute “Recognised Body”.
318. In Appendix A, in paragraph 118(b)(ii), delete “Sponsor which is not a Recognised Body” substitute “sponsor which is not a Recognised Body”.
319. In Appendix A, in paragraph 118(b)(i)(4), delete “the Sponsor” substitute “the sponsor”.
320. In Appendix A, in paragraph 118 after sub-paragraph 118 (b)(ii)(4)(iv), insert:
“, and

(v) the test centre at which the test was taken is approved by the Secretary of State as a Secure English Language Test Centre.”
321. In Appendix A, after sub-paragraph 118 (b)(iii)(4)(iv), insert:
“, and

(v) the test centre at which the test was taken is approved by the Secretary of State as a Secure English Language Test Centre.”

322. In Appendix A, in paragraph 119, delete “..more than once, unless the Sponsor is a Highly Trusted Sponsor..” substitute “..more than once, unless the sponsor has Tier 4 Sponsor status..”
323. In Appendix A, in paragraph 119, delete “..for Studies, unless the Sponsor is a Highly Trusted Sponsor..” and substitute “..for Studies, unless the sponsor has Tier 4 Sponsor status..”
324. In Appendix A, in paragraph 120(a)(i), delete “if the Sponsor is a Highly Trusted Sponsor;” substitute “if the sponsor has Tier 4 Sponsor status;”.
325. In appendix A, in paragraph 120(a)(ii), delete “if the Sponsor is an A-Rated Sponsor or a B-Rated Sponsor;” substitute “if the sponsor has Probationary Sponsor status;”.
326. In Appendix A, in paragraph 120(a)(iii), delete “the Sponsor must be a Highly Trusted Sponsor;” substitute “the sponsor must have Tier 4 Sponsor status;”.
327. In Appendix A, in paragraph 120(a)(iv), delete “if the Sponsor is an A-Rated Sponsor or a B-Rated Sponsor;” substitute “if the sponsor has Probationary Sponsor status;”.
328. In Appendix A, in paragraph 120(b)(i), delete “Sponsor which is a Recognised Body” substitute “Recognised Body”.
329. In Appendix A, in paragraph 120(b)(i), delete “study at that Sponsor;” substitute “study at that sponsor;”.
330. In Appendix A, in paragraph 120(b)(ii), “study at that Sponsor” substitute “study at that sponsor”.
331. In Appendix A, in paragraph 120(b)(ii), delete “the Sponsor is satisfied” substitute “the sponsor is satisfied”.
332. In Appendix A, in paragraph 120(cb), delete “qualification as one that” substitute “qualification is one that”.
333. In Appendix A, in paragraph 120(cb)(7), delete “level of the Tier 4 Sponsor’s” substitute “level of the Tier 4 sponsor’s”.
334. In Appendix A, in paragraph 120(cb)(7), delete “completes the Tier 4 Sponsor’s” substitute “completes the Tier 4 sponsor’s”.
335. In Appendix A, in paragraph 120(d), delete “migrant’s Sponsor.” substitute “migrant’s sponsor.”
336. In Appendix A, in paragraph 120(f), delete “by a Highly Trusted Sponsor.” substitute “by a sponsor with Tier 4 Sponsor status.”

337. In Appendix A, in paragraph 120(f)(ii)(a), delete “Sponsor that is a Recognised Body” substitute “Recognised Body”.
338. In Appendix A, in paragraph 120-SD(a)(ii)(4)(a), delete “which has Highly Trusted Sponsor status,” substitute “which has Tier 4 Sponsor status,”.
339. In Appendix A, in paragraph 120-SD(b), “UK Border Agency” substitute “Home Office”.
340. In Appendix A, in paragraph 120A(a), delete “the Sponsor” substitute “the sponsor”.
341. In Appendix A, in paragraph 120A(b)(ii), delete “the Tier 4 Sponsor” substitute “the Tier 4 sponsor”.
342. In Appendix A, in paragraph 124(d), delete “the Sponsor” substitute “the sponsor”.
343. In Appendix A, in paragraph 125(a), delete “the Sponsor” substitute “the sponsor”.
344. In Appendix A, in paragraph 125(b), delete “the Sponsor” substitute “the sponsor”.
345. In Appendix A, in paragraph 125(b), delete “UK Border Agency” substitute “Home Office”.
346. In Appendix A, in paragraph 125A(a), delete “the Sponsor” substitute “the sponsor”.
347. In Appendix A, in paragraph 125A(b), delete “a Highly Trusted Sponsor,” substitute “a sponsor with Tier 4 Sponsor status,”.
348. In Appendix A, in paragraph 125A(b), delete “UK Border Agency” substitute “Home Office”.
349. In Appendix A, in paragraph 125A(c), delete “the Sponsor must hold an A-rated or Highly Trusted Sponsor Licence and must not be a Legacy Sponsor,” substitute “the sponsor must not be a Legacy Sponsor,”.
350. In Appendix A, in paragraph 125A(d), delete “issued by a Legacy Sponsor or a B-rated sponsor,” substitute “issued by a Legacy Sponsor,”.
351. In Appendix AR, in the “introduction”, delete “paragraph AR3.2” and substitute “paragraphs AR3.2, AR4.2 or AR5.2”.
352. In Appendix AR, in the “definitions” that appear within paragraph AR1.1, at the end of the definition of “case working error”, delete “AR3.4 (for administrative review in the UK)” and substitute “AR2.11”.
353. In Appendix AR, in the “definitions” that appear within paragraph AR1.1, after the definition of “case working error”, insert:

“*Control Zone* has the meaning given collectively by Schedule 1 to the (International Arrangements) Order 1993, Schedule 1 to the Channel Tunnel (Miscellaneous Provisions) Order 1994 and regulation 2 of the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003. In these Rules it also includes a “supplementary control zone” as defined by Schedule 1 to the Channel Tunnel (International Arrangements) Order 1993.”

354. In Appendix AR, in the “definitions” that appear within paragraph AR1.1, in the definition of “reviewer”, delete “or Immigration Officer” and substitute, “, Immigration Officer or Entry Clearance Manager”.

355. In Appendix AR, in the “definitions” that appear within paragraph AR1.1, in the definition of “original decision maker”, delete “or Immigration Officer” and substitute, “, Immigration Officer or Entry Clearance Officer”.

356. In Appendix AR, in paragraphs AR2.4 and AR2.5, delete “AR3.4 (e), (g), (h) and (j)” and substitute “AR2.11 (a), and (b)”.

357. In Appendix AR, after paragraph AR2.10, insert:

“What is a case working error?”

AR2.11 For the purposes of these Rules, a *case working error* is:

- (a) Where the *original decision maker*’s decision to refuse an application on the basis of paragraph 320(7A), 320(7B) or 322(1A) of these Rules, or cancel leave to enter or remain which is in force under 321A(2) of these Rules, was incorrect;
- (b) Where the *original decision maker*’s decision to refuse an application on the basis that the date of application was beyond any time limit in these Rules was incorrect;
- (c) Where the *original decision maker* otherwise applied the Immigration Rules incorrectly; and
- (d) Where the *original decision maker* failed to apply the Secretary of State’s relevant published policy and guidance in relation to the application.

AR2.12 Additionally, where the eligible decision is one specified in paragraph AR3.2, a *case working error* is also where there has been an error in calculating the correct period or conditions of immigration leave either held or to be granted.”

358. In Appendix AR, delete paragraph AR3.2 and substitute:

“AR3.2 Subject to paragraph AR3.4, an *eligible decision* is:

- (a) A decision on an application made on or after 20th October 2014 for leave to remain as:
 - (i) a Tier 4 Migrant under the Points Based System; or

- (ii) the partner of a Tier 4 Migrant under paragraph 319C of the Immigration Rules; or
 - (iii) the child of a Tier 4 Migrant under paragraph 319H of the Immigration Rules.
- (b) A decision on an application made on or after 2nd March 2015 for leave to remain, as:
- (i) a Tier 1, 2 or 5 Migrant under the Points Based System; or
 - (ii) the partner of a Tier 1, 2 or 5 Migrant under paragraphs 319C or 319E of the Immigration Rules; or
 - (iii) the child of a Tier 1, 2 or 5 Migrant under paragraphs 319H or 319J of the Immigration Rules.
- (c) A decision on an application for leave to remain made under these Rules on or after 6th April 2015 unless it is an application as a visitor, or where an application or human rights claim is made under:
- (i) Paragraph 276B (long residence);
 - (ii) Paragraphs 276ADE(1) or 276DE (private life);
 - (iii) Paragraphs 276U and 276AA (partner or child of a member of HM Forces);
 - (iv) Paragraphs 276AD and 276AG (partner or child of a member of HM Forces) where the sponsor is a foreign or Commonwealth member of HM Forces and has at least 4 years' reckonable service in HM Forces at the date of application;
 - (v) Part 8 of these Rules (family members) where the sponsor is present and settled in the UK (unless the application is made under paragraphs 319AA to 319J of these Rules, or under paragraph 284, 287, 295D or 295G where the sponsor was granted settlement as a Points Based System Migrant) or has refugee or humanitarian protection status in the UK;
 - (vi) Part 11 of these Rules (asylum);
 - (vii) Part 4 or Part 7 of Appendix Armed Forces (partner or child of a member of HM Forces) where the sponsor is a British Citizen or has at least 4 years' reckonable service in HM Forces at the date of application;
 - (viii) Appendix FM (family members), but not where an application is made under section BPILR (bereavement) or section DVILR (domestic violence),

in which case the appropriate remedy is an appeal under section 82 of the Nationality, Immigration and Asylum Act 2002 rather than an application for administrative review.

- (d) A decision on an application made on or after 6th April 2015 for leave to remain made by a Turkish national or their family member pursuant to the UK's obligations under Article 41 of the Additional Protocol to the European Community Association Agreement (ECAA) with Turkey, and under Article 6(1) of Decision 1/80 of the Association Council established by that agreement."

359. In Appendix AR, delete paragraph AR3.3 and substitute:

"AR3.3 An *eligible decision* in paragraph AR3.2 is either a decision to refuse an application for leave to remain or a decision to grant leave to remain where a review is requested of the period or conditions of leave granted."

360. In Appendix AR, delete paragraph AR3.4 (including the sub heading "What is a case working error?" above it) and substitute:

"AR3.4 Where the applicant has been given notice of liability for removal within six months prior to the date of application, then the refusal of that application will not be an *eligible decision*."

361. In Appendix AR, after paragraph AR3.4 insert:

"Administrative Review on arrival in the UK

Decisions eligible for administrative review on arrival in the United Kingdom

AR4.1 Administrative review is only available where an *eligible decision* has been made.

AR4.2 An *eligible decision* is a decision made on or after 6th April 2015 to cancel leave to enter or remain with the result that the applicant has no leave to enter or remain, where the reason for cancellation is:

- (a) there has been such a change of circumstances in the applicant's case since that leave was given that it should be cancelled;
- (b) the leave was obtained as a result of false information given by the applicant or the applicant's failure to disclose material facts.

AR4.3 Where the *eligible decision* is made in the *Control Zone*, administrative review may not be applied for and will not be considered until after the applicant has left or been removed from the *Control Zone*.

Administrative Review overseas

Decisions eligible for administrative review overseas

AR5.1 Administrative review is only available where an *eligible decision* has been made.

AR5.2 (a) An *eligible decision* is a refusal of an application for entry clearance made on or after 6th April 2015 under the Rules unless it is an application under Part 3 of these Rules (short-term students) or as a visitor, or where an application or human rights claim is made under:

- (i) Paragraphs 276R and 276X (partner or child of a member of HM Forces);
- (ii) Paragraphs 276AD and 276AG (partner or child of a member of HM Forces) where the sponsor is a foreign or Commonwealth member of HM Forces and has at least 4 years' reckonable service in HM Forces at the date of application;
- (iii) Part 8 of these Rules (family members) where the sponsor is present and settled in the UK (unless the application is made under paragraphs 319AA to 319J of these Rules) or has refugee or humanitarian protection status in the UK;
- (iv) Part 11 of these Rules (asylum);
- (v) Part 4 or Part 7 of Appendix Armed Forces (partner or child of a member of HM Forces) where the sponsor is a British Citizen or has at least 4 years' reckonable service in HM Forces at the date of application;
- (vi) Appendix FM (family members),

in which case the appropriate remedy is an appeal under section 82 of the Nationality, Immigration and Asylum Act 2002 rather than an application for administrative review.

(b) An *eligible decision* is also a refusal of an application for entry clearance made on or after 6th April 2015 by a Turkish national or their family member pursuant to the UK's obligations under Article 41 of the Additional Protocol to the European Community Association Agreement (ECAA) with Turkey."

362. In Appendix Armed Forces, in paragraph 1(c) and (g) after "a partner" delete "or child" and insert ", child or other dependant".

363. In Appendix Armed Forces, in paragraph 2(b)(a), 61E(a)(i), 67(a)(i) and (ii) substitute "NATO" with "a NATO force".

364. In Appendix Armed Forces, in paragraph 2(f) after "in relation to that member" insert "(unless a different meaning applies elsewhere in this Appendix)".

365. In Appendix Armed Forces, in paragraph 2 after (g) insert:

(ga) "other dependant" means an applicant under Part 10 of this Appendix, other than a partner or child under the age of 18, who is named on the original movement or posting order;"

366. In Appendix Armed Forces, delete paragraph 2(i).
367. In Appendix Armed Forces, after paragraph 5 insert:
- “5A. Where a person aged 18 or over is granted entry clearance or limited leave to enter or remain under this Appendix, or where a person granted such entry clearance or limited leave to enter or remain will be aged 18 before that period of limited leave expires, the entry clearance or leave will, in addition to any other conditions which may apply, be granted subject to the conditions in Part 15 of these Rules.”
368. In Appendix Armed Forces, in paragraph 8(a), (c)(ii), (iii) and (iii)(aa), (d), (h) and 9(d) after “in respect of applications for entry clearance” insert “or leave to enter”.
369. In Appendix Armed Forces, in paragraph 8(j) after “entry clearance” insert “or leave to enter”.
370. In Appendix Armed Forces, in paragraph 11 delete “for entry clearance (and limited or indefinite leave to enter) or for limited or indefinite leave to remain”.
371. In Appendix Armed Forces, after paragraph 20 insert;
- “20A. For this Part, a reference to a member of HM Forces includes a former member of HM Forces who was discharged more than 2 years ago if that member of HM Forces:
- (a)
- (i) is a British citizen; or
- (ii) was granted leave under this Appendix; and
- (b) the applicant had leave under these Rules as the partner or child of a member of HM Forces prior to their sponsor’s discharge”.
372. In Appendix Armed Forces, after paragraph 34 insert;
- “34A. For this Part, a reference to a member of HM Forces includes a former member of HM Forces who was discharged more than 2 years ago if that member of HM Forces:
- (a)
- (i) is a British citizen; or
- (ii) was granted leave under this Appendix; and
- (b) the applicant had leave under these Rules as the partner or child of a member of HM Forces prior to their sponsor’s discharge”.
373. In Appendix Armed Forces, in paragraph 43(a)(ii), 45(a)(ii) and 53(b)(ii) before “to remain” insert “enter or”.
374. In Appendix Armed Forces, for paragraph 43(i) substitute:

(i) either:

- (i) meets the financial requirement in Part 12 of this Appendix; or
- (ii) in a case in which sub-paragraph (b)(i)(aa), (b)(i)(dd) or (b)(ii) of paragraph 42 applies will be:

(aa) accommodated adequately by the parent or parents the applicant will be joining without recourse to public funds in accommodation which the parent or parents own or occupy exclusively; and

(bb) maintained adequately by the parent or those parents without recourse to public funds; and”.

375. In Appendix Armed Forces, for paragraph 47(i) and (j) substitute:

(i) meets:

(i) the general eligibility requirements in paragraph 42; or

(ii) those general eligibility requirements, except that subparagraph (b)(ii) does not apply but the parent of the applicant falls under paragraph 49(h) and the applicant normally lives with this parent and not their other parent; and

(j) either:

(i) meets the financial requirement in Part 12 of this Appendix; or

(ii) in a case in which sub-paragraph (b)(i)(aa), (b)(i)(dd) or (b)(ii) of paragraph 42 applies (and including the application of sub-paragraph (b)(i) as modified by paragraph (i) above) will be:

(aa) accommodated adequately by the parent or parents the applicant will be joining without recourse to public funds in accommodation which the parent or parents own or occupy exclusively; and

(bb) maintained adequately by the parent or those parents without recourse to public funds; and”.

376. In Appendix Armed Forces, at paragraph 56, 61B and 64 substitute “entry clearance and/or leave to enter” with “entry clearance (where required under paragraph 6(a)) or leave to enter”.

377. In Appendix Armed Forces, in paragraph 56(b) substitute “and” with “or”.

378. In Appendix Armed Forces, in paragraph 57, 58, 61B(b), 61C, 64(b) and 65 substitute “and/or” with “or”.

379. In Appendix Armed Forces, in paragraph 66(f) after “a NATO force” delete “.” and insert “; or

- (iii) paragraph 62(b)(iii) applies.”
380. In Appendix Armed Forces, in paragraph 68(b) after “Secretary of State” insert:
“for these purposes, as listed in Appendix O, for a test at a test centre approved by the Secretary of State as a Secure English Language Test centre”.
381. In Appendix Armed Forces after paragraph 70 insert:
“70A. For the avoidance of doubt paragraphs 27-32D of Appendix FM-SE apply to applications for entry clearance and limited leave to enter or remain made under Part 4 of this Appendix where English language requirements apply, regardless of the date of application.”.
382. In Appendix B, in Table 1, delete row A.
383. In Appendix B, in paragraph 7(i)(1), delete “a Bachelor's degree (not a Master's degree or a PhD)” and substitute “a Bachelor's or Master's degree or a PhD”.
384. In Appendix B, delete paragraph 10 and substitute:
“10. 10 points will only be awarded for passing an English language test if the applicant has the relevant level of English language shown in Table 1 and provides the specified documents from an English language test provider approved by the Secretary of State for these purposes, as listed in Appendix O, for a test taken at a test centre approved by the Secretary of State as a Secure English Language Test centre, which clearly show:
- (1) the applicant's name,
 - (2) the qualification obtained, which must meet or exceed the relevant level shown in Table 1 in all four components (reading, writing, speaking and listening), unless the applicant was exempted from sitting a component on the basis of his disability,
 - (3) the date of the award,
 - (4) the test centre at which the test was taken, and
 - (5) that the test is within its validity date (where applicable).”
385. In Appendix C, in paragraph 11(b) delete “applicant is sponsored by a Highly Trusted Sponsor,” substitute “applicant is sponsored by a sponsor with Tier 4 Sponsor status.”.
386. In Appendix C, in paragraph 11(b), delete “UK Border Agency” substitute “Home Office”.
387. In Appendix C, in paragraph 13C, delete “Tier 4 Sponsor” substitute “Tier 4 sponsor”.

388. In Appendix C, in paragraph 13C(b), delete “Tier 4 Sponsor” substitute “Tier 4 sponsor”.
389. In Appendix C, in paragraph 13D(a), delete “Tier 4 Sponsor” substitute “Tier 4 sponsor”.
390. In Appendix C, in paragraph 16(b), delete “applicant is sponsored by a Highly Trusted Sponsor,” substitute “applicant is sponsored by a sponsor with Tier 4 Sponsor status,”.
391. In Appendix C, in paragraph 16(b), delete “UK Border Agency” substitute “Home Office”.
392. In Appendix C, in paragraph 21B, delete “Tier 4 Sponsor” substitute “Tier 4 sponsor”.
393. In Appendix C, in paragraph 21B(b), delete “Tier 4 Sponsor” substitute “Tier 4 sponsor”.
394. In Appendix C, in paragraph 21C(a), delete “Tier 4 Sponsor” substitute “Tier 4 sponsor”.
395. In Appendix E, in paragraph (j), delete “..sponsored by a Highly Trusted Sponsor,” and substitute “..sponsored by a sponsor with Tier 4 Sponsor status,”
396. In Appendix E, in paragraph (j), delete “UK Border Agency” substitute “Home Office”.
397. In Appendix F, after “Requirements for leave to enter as a prospective student”, paragraph 82, insert:

“Requirements for extension of stay as a prospective student

85. Six months is the maximum permitted leave which may be granted to a prospective student. The requirements for an extension of stay as a prospective student are that the applicant:

- (i) was admitted to the United Kingdom with a valid prospective student entry clearance; and
- (ii) meets the requirements of paragraph 82; and
- (iii) would not, as a result of an extension of stay, spend more than 6 months in the United Kingdom; and
- (iv) must not be in the UK in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

Extension of stay as a prospective student

86. An extension of stay as a prospective student may be granted, with a prohibition on employment, provided the Secretary of State is satisfied that each of the requirements of paragraph 85 is met.

Refusal of extension of stay as a prospective student

87. An extension of stay as a prospective student is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 85 is met.”

398. Delete paragraph 174A(i) and substitute with:

“174A(i) entered the United Kingdom, or was given an extension of stay, in accordance with these Rules, except as a minister of religion or as a visitor or a short-term student, and has spent a continuous period of at least 12 months here pursuant to that leave immediately prior to the application being made; and”

399. In Appendix FM after paragraph GEN.1.11. insert:

“GEN.1.11A. In all cases where:

(a) limited leave is granted under paragraph D-LTRP.1.2., D-ILRP.1.3., D-LTRPT.1.2. or D-ILRPT.1.3.; or

(b) limited leave is granted outside the rules on Article 8 grounds under paragraph GEN.1.10. or GEN.1.11.,

leave will normally be granted subject to a condition of no recourse to public funds, unless the applicant has provided the decision-maker with (i) satisfactory evidence that the applicant is destitute as defined in section 95 of the Immigration and Asylum Act 1999, or (ii) satisfactory evidence that there are particularly compelling reasons relating to the welfare of a child of a parent in receipt of a very low income.”.

400. In Appendix FM paragraph GEN.1.13. for “date of decision” substitute “date of application”.

401. In Appendix FM after paragraph GEN.1.13. insert:

“GEN.1.14. Where a person aged 18 or over is granted entry clearance or limited leave to enter or remain under this Appendix (or outside the rules on Article 8 grounds), or where a person granted such entry clearance or limited leave to enter or remain will be aged 18 before that period of entry clearance or limited leave expires, the entry clearance or leave will, in addition to any other conditions which may apply, be granted subject to the conditions in Part 15 of these rules.”.

402. In Appendix FM paragraph GEN.2.1. for the “The requirements to be met” substitute “Subject to paragraph GEN.2.3., the requirements to be met”.

403. In Appendix FM after paragraph GEN.2.2. insert:

“GEN.2.3.(1). Where an applicant for leave to enter the UK remains in the UK on temporary admission or temporary release and the requirements of sub-paragraph (2) are met, paragraph GEN.1.10., D-LTRP.1.2., D-LTRC.1.1. or D-LTRPT.1.2. (as appropriate) will apply, as if paragraph D-LTRP.1.2., D-LTRC.1.1. or D-LTRPT.1.2. (where relevant) provided for the granting of leave to enter not leave to remain (and except that the references to leave to remain and limited leave to remain are to be read as leave to enter).

(2). The requirements of this sub-paragraph are met where:

(a) the applicant satisfies the requirements in paragraph R-LTRP.1.1.(a), (b) and (d), paragraph R-LTRC.1.1.(a), (b) and (d) or paragraph R-LTRPT.1.1.(a), (b) and (d), as if those were requirements for leave to enter not leave to remain (and except that the references to leave to remain and indefinite leave to remain are to be read as leave to enter);

(b) a parent of the applicant has been granted leave to enter in accordance with this paragraph and the applicant satisfies the requirements in paragraph R-LTRC.1.1.(a), (b) and (d), as if those were requirements for leave to enter not leave to remain and as if paragraph R-LTRC.1.1.(d)(iii) referred to a parent of the applicant being or having been granted leave to enter in accordance with this paragraph (and except that the references to leave to remain are to be read as leave to enter); or

(c) the Secretary of State decides to grant leave outside the rules on Article 8 grounds.”.

404. In Appendix FM paragraph E-ECC.2.1. for “The applicant must” substitute “Where a parent of the applicant has, or is applying or has applied for, entry clearance or limited leave to enter or remain as a partner under this Appendix, the applicant must”.

405. In Appendix FM after paragraph E-ECC.2.3. insert:

“E-ECC.2.3A. Where a parent of the applicant has, or is applying or has applied for, entry clearance or limited leave to enter or remain as a parent under this Appendix, the applicant must provide evidence that that parent is able to maintain and accommodate themselves, the applicant and any other dependants adequately in the UK without recourse to public funds.”.

406. In Appendix FM paragraph E-LTRC.2.1. for “The applicant must” substitute “Where a parent of the applicant has, or is applying or has applied for, limited leave to remain as a partner under this Appendix, the applicant must”.

407. In Appendix FM after paragraph E-LTRC.2.3. insert:

“E-LTRC.2.3A. Where a parent of the applicant has, or is applying or has applied for, limited leave to remain as a parent under this Appendix, the applicant must provide evidence that that parent is able to maintain and accommodate themselves,

the applicant and any other dependants adequately in the UK without recourse to public funds.”.

408. In Appendix FM in paragraph R-LTRPT.1.1., in the introductory wording, for “or indefinite leave to remain as a parent or partner” substitute “leave to remain as a parent”.
409. In Appendix FM-SE paragraph 10(a)(ii) for “rental income” substitute “income relied upon”.
410. In Appendix FM-SE paragraph 10(d)(ii) for “applicant” substitute “person or the person and their partner jointly”.
411. In Appendix FM-SE paragraph 21(b) after “Council Tax Benefit” insert “or Support (or any equivalent)”.
412. In Appendix FM-SE after paragraph 21(f) insert:
“(ff) Universal Credit.”
413. In Appendix FM-SE for paragraph 27 substitute
“27. Evidence of passing an English language test in speaking and listening must take the form of a certificate and/or other document(s) for the relevant test (which may include a print out of the online score from a PTE (Pearson) test or the Home Office must be able to verify the evidence online) as specified in Appendix O that:
(i) is from an English language test provider approved by the Secretary of State for these purposes as specified in Appendix O of these rules;
(ii) is for a test approved by the Secretary of State for these purposes as specified in Appendix O of these rules;
(iii) shows the applicant's name;
(iv) shows the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference);
(v) shows the date of award;
(vi) shows that the test is within its validity date (where applicable).”.
414. In Appendix FM-SE in sub-paragraph (vi) of the substituted paragraph 27 for “.” substitute “; and”.
415. In Appendix FM-SE after sub-paragraph (vi) of the substituted paragraph 27 insert:
“(vii) is for a test taken at a test centre approved by the Secretary of State as a Secure English Language Test centre.”.
416. In Appendix FM-SE paragraph 32C after “(b) in respect of an approved test,” insert:
“or

- (c) from an approved test centre,”.
417. In Appendix FM-SE paragraph 32D after (b) insert:
- “(c) from a test centre which is no longer approved, or”.
418. In Appendix FM-SE paragraph 32D renumber existing sub-paragraph (c) as (d).
419. In Appendix I, delete paragraph 245HF(c)(i) and substitute:
- “(i) as a Tier 1 Migrant, other than a Tier 1 (Post Study Work) Migrant or a Tier 1 (Graduate Entrepreneur) Migrant,”.
420. In Appendix I, in paragraph 245HF(d)(ii), delete “in the case of” and substitute “at the point of”.
421. In Appendix I, after paragraph 245HF(d)(ii)(2)(c), insert:
- “(d) £36,200 if applying on or after 6 April 2020,”.
422. In Appendix J, delete paragraph 14(d) and substitute:
- “(d) Where both "new entrant" and "experienced worker" rates are stated in Tables 1 to 5, the "new entrant" rate will only apply if:
- (i) the applicant:
 - (1) is applying as a Tier 2 (General) Migrant and scores points from the Post-Study Work provisions of Appendix A,
 - (2) is applying as a Tier 2 (General) Migrant and scores points from the Resident Labour Market Test provisions of Appendix A, on the basis that his Sponsor has carried out a university milkround,
 - (3) is applying as a Tier 2 (Intra-Company Transfer) Migrant in the Graduate Trainee sub-category, or
 - (4) was under the age of 26 on the date the application was made;and
 - (ii) the applicant is applying for entry clearance or leave to remain (not for indefinite leave to remain); and
 - (iii) the applicant is not applying for a grant of leave that would extend his total stay in Tier 2 and/or as a Work Permit Holder beyond 3 years and 1 month.

The "experienced worker" rate will apply in all other cases.”

423. In Appendix J, delete Tables 1-5 and substitute:

“Table 1: Occupations skilled to PhD-level

SOC code and description	Related job titles	Appropriate salary rates	Skill level
2111 Chemical scientists	Analytical chemist Chemist Development chemist Industrial chemist Research chemist	New entrant: £21,000 Experienced worker: £27,200 [Source: Evidence from partners who responded to Migration Advisory Committee in 2011, uplifted based on national changes in earnings]	PhD
2112 Biological scientists and biochemists	Biomedical scientist Forensic scientist Horticulturist Microbiologist Pathologist	Biomedical scientists working in the health sector: Band 5 and equivalent: £21,478 Band 6 and equivalent: £25,783 Band 7 and equivalent: £30,764 Band 8a and equivalent: £39,239 Band 8b and equivalent: £45,707 Band 8c and equivalent: £54,998 Band 8d and equivalent: £65,922 Band 9 and equivalent: £77,850 [Source: NHS Agenda for Change 2014] Other biomedical scientists: New entrant: £21,000 Experienced worker: £27,200 [Source: Evidence from partners who responded to Migration Advisory Committee in 2011, uplifted based on national changes	PhD

		in earnings]	
2113 Physical scientists	Geologist Geophysicist Medical physicist Meteorologist Oceanographer Physicist Seismologist	New entrant: £21,000 Experienced worker: £27,200 [Source: Evidence from partners who responded to Migration Advisory Committee in 2011, uplifted based on national changes in earnings]	PhD
2114 Social and humanities scientists	Anthropologist Archaeologist Criminologist Epidemiologist Geographer Historian Political scientist Social scientist	New entrant: £21,000 Experienced worker: £27,200 [Source: Evidence from partners who responded to Migration Advisory Committee in 2011, uplifted based on national changes in earnings]	PhD
2119 Natural and social science professionals not elsewhere classified [Note: For immigration purposes this code includes researchers in research organisations other than universities.]	Operational research scientist Research associate (medical) Research fellow Researcher Scientific officer Scientist Sports scientist University researcher	New entrant: £21,000 Experienced worker: £27,200 [Source: Evidence from partners who responded to Migration Advisory Committee in 2011, uplifted based on national changes in earnings]	PhD
2150 Research	Creative manager	New entrant: £27,700	PhD

and development managers	(research and development) Design manager Market research manager Research manager (broadcasting)	Experienced worker: £34,800 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	
2311 Higher education teaching professionals	Fellow (university) Lecturer (higher education, university) Professor (higher education, university) Tutor (higher education, university) University lecturer	New entrant: £25,000 Experienced worker: £31,400 [Source: evidence from Universities UK, Universities and Colleges Employers Association and GuildHE in 2011, uplifted based on national changes in earnings]	PhD

Table 2: Occupations skilled to National Qualifications Framework (NQF) level 6 and above

SOC code and description	Related job titles	Appropriate salary rates	Skill level
All occupations in Table 1	As stated in Table 1	As stated in Table 1	PhD
1115 Chief executives and senior officials	Chief executive Chief medical officer Civil servant (grade 5 & above) Vice President	New entrant: £35,300 Experienced worker: £52,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1116 Elected officers and representatives	Councillor (local government) Member of Parliament	New entrant: £30,700 Experienced worker: £49,500 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1121 Production managers and	Engineering manager	New entrant: £20,000	NQF 6

directors in manufacturing	Managing director (engineering) Operations manager (manufacturing) Production manager	Experienced worker: £31,000 [Source: Annual Survey of Hours and Earnings 2014]	
1122 Production managers and directors in construction	Building Services manager Construction manager Director (building construction) Owner (electrical contracting)	New entrant: £20,500 Experienced worker: £30,100 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1123 Production managers and directors in mining and energy	Operations manager (mining, water & energy) Quarry manager	New entrant: £20,000 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £37,600 [Source: Annual Survey of Hours and Earnings 2012 (no equivalent 2013 or 2014 data available)]	NQF 6
1131 Financial managers and directors	Investment banker Treasury manager	New entrant: £26,700 Experienced worker: £40,400 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1132 Marketing and sales directors	Marketing director Sales director	New entrant: £33,300 Experienced worker: £47,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1133 Purchasing managers and directors	Bid manager Purchasing manager	New entrant: £30,000 Experienced worker: £36,600 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1134 Advertising	Account director	New entrant: £28,300	NQF

and public relations directors	(advertising) Head of public relations	[Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £46,000 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	6
1135 Human resource managers and directors	Human resources manager Personnel manager Recruitment manager	New entrant: £27,000 Experienced worker: £35,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1136 Information technology and telecommunications directors	IT Director Technical director (computer services) Telecommunications director	New entrant: £32,300 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £75,500 [Source: Incomes Data Services in 2014, uplifted based on national changes in earnings]	NQF 6
1139 Functional managers and directors not elsewhere classified	Manager (charitable organisation) Research director	New entrant: £24,100 Experienced worker: £35,100 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1150 Financial institution managers and directors	Bank manager Insurance manager	New entrant: £26,600 Experienced worker: £35,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1161 Managers and directors in transport and distribution	Fleet manager Transport manager	New entrant: £23,200 Experienced worker: £29,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1172 Senior police officers	Chief superintendent (police service)	New entrant: £50,800 [Source: Annual Survey of Hours	NQF 6

	Detective inspector Police inspector	and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £54,000 [Source: Annual Survey of Hours and Earnings 2014]	
1173 Senior officers in fire, ambulance, prison and related services	Fire service officer (government) Prison governor Station officer (ambulance service)	All workers: £37,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1181 Health services and public health managers and directors	Director of nursing Health Service manager Information manager (health authority: hospital service)	New entrant: £26,700 Experienced worker: £35,500 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
1184 Social services managers and directors	Care manager (local government: social services) Service manager (welfare services)	New entrant: £26,400 Experienced worker: £33,000 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 6
2121 Civil engineers	Building engineer Civil engineer (professional) Highways engineer Petroleum engineer Public health engineer Site engineer Structural engineer	New entrant: £22,800 Experienced worker: £30,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2122 Mechanical engineers	Aeronautical engineer (professional) Aerospace engineer	New entrant: £27,400 Experienced worker: £32,900	NQF 6

	<p>Automotive engineer (professional)</p> <p>Marine engineer (professional)</p> <p>Mechanical engineer (professional)</p>	[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	
2123 Electrical engineers	<p>Electrical engineer (professional)</p> <p>Electrical surveyor</p> <p>Equipment engineer</p> <p>Power engineer</p> <p>Signal engineer (railways)</p>	<p>Power system engineer, control engineer or protection engineer in the electricity transmission and distribution industry: £32,500</p> <p>[Source: National Grid submission to Migration Advisory Committee in 2011, uplifted based on national changes in earnings]</p> <p>Other electrical engineer (new entrant): £24,800</p> <p>Other electrical engineer (experienced worker): £35,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6
2124 Electronics engineers	<p>Avionics engineer</p> <p>Broadcasting engineer (professional)</p> <p>Electronics engineer (professional)</p> <p>Microwave engineer</p> <p>Telecommunications engineer (professional)</p>	<p>New entrant: £25,200</p> <p>Experienced worker: £31,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6
2126 Design and development engineers	<p>Clinical engineer</p> <p>Design engineer</p> <p>Development engineer</p> <p>Ergonomist</p> <p>Research and</p>	<p>New entrant: £25,300</p> <p>Experienced worker: £32,100</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6

	development engineer		
2127 Production and process engineers	Chemical engineer Industrial engineer Process engineer Production consultant Production engineer	New entrant: £22,900 Experienced worker: £30,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2129 Engineering professionals not elsewhere classified	Acoustician (professional) Ceramicist Food technologist Metallurgist Patent agent Project engineer Scientific consultant Technical engineer Technologist Traffic engineer	New entrant: £26,100 Experienced worker: £32,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2133 IT specialist managers	Data centre manager IT manager IT support manager Network operations manager (computer services) Service delivery manager	New entrant: £26,500 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £40,300 [Source: Incomes Data Services in 2014, uplifted based on national changes in earnings]	NQF 6
2134 IT project and programme managers	Implementation manager (computing) IT project manager	New entrant: £28,200 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6

	<p>Programme manager (computing)</p> <p>Project leader (software design)</p>	<p>Experienced worker: £40,600</p> <p>[Source: Incomes Data Services in 2014, uplifted based on national changes in earnings]</p>	
2135 IT business analysts, architects and systems designers	<p>Business analyst (computing)</p> <p>Data communications analyst</p> <p>Systems analyst</p> <p>Systems consultant</p> <p>Technical analyst (computing)</p> <p>Technical architect</p>	<p>New entrant: £25,800</p> <p>Experienced worker: £33,000</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6
2136 Programmers and software development professionals	<p>Analyst-programmer</p> <p>Database developer</p> <p>Games programmer</p> <p>Programmer</p> <p>Software engineer</p>	<p>New entrant: £24,000</p> <p>Experienced worker: £31,100</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6
2137 Web design and development professionals	<p>Internet developer</p> <p>Multimedia developer</p> <p>Web design consultant</p> <p>Web designer</p>	<p>New entrant: £17,500</p> <p>Experienced worker: £23,400</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6
2139 Information technology and telecommunications professionals not elsewhere classified	<p>IT consultant</p> <p>Quality analyst (computing)</p> <p>Software tester</p> <p>Systems tester (computing)</p> <p>Telecommunications planner</p>	<p>New entrant: £20,000</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p> <p>Experienced worker: £29,900</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6

2141 Conservation professionals	Conservation officer Ecologist Energy conservation officer Heritage manager Marine conservationist	New entrant: £18,700 Experienced worker: £22,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2142 Environment professionals	Energy manager Environmental consultant Environmental engineer Environmental protection officer Environmental scientist Landfill engineer	New entrant: £19,300 Experienced worker: £24,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2211 Medical practitioners	Anaesthetist Consultant (Hospital Service) Doctor General practitioner Medical practitioner Paediatrician Psychiatrist Radiologist Surgeon	Foundation year 1 (F1) and equivalent: £22,636 Foundation year 2 (F2) and equivalent: £28,076 Speciality registrar (StR) and equivalent: £30,002 Speciality doctor and equivalent: £37,176 Salaried General practitioner (GP) and equivalent: £54,863 Consultant and equivalent: £75,249 [Source: NHS Employers Pay and Conditions (M&D) Circular 2/2014]	NQF 6
2212 Psychologists	Clinical psychologist Educational	Band 5 and equivalent: £21,478 Band 6 and equivalent: £25,783	NQF 6

	<p>psychologist</p> <p>Forensic psychologist</p> <p>Occupational psychologist</p> <p>Psychologist</p> <p>Psychometrist</p>	<p>Band 7 and equivalent: £30,764</p> <p>Band 8a and equivalent: £39,239</p> <p>Band 8b and equivalent: £45,707</p> <p>Band 8c and equivalent: £54,998</p> <p>Band 8d and equivalent: £65,922</p> <p>Band 9 and equivalent: £77,850</p> <p>[Source: NHS Agenda for Change 2014]</p>	
2213 Pharmacists	<p>Chemist (pharmaceutical)</p> <p>Dispensary manager</p> <p>Pharmaceutical chemist</p> <p>Pharmacist</p> <p>Pharmacy manager</p>	<p>Pre-registration and Band 5 and equivalent: £21,478</p> <p>Band 6 and equivalent: £25,783</p> <p>Band 7 and equivalent: £30,764</p> <p>Band 8a and equivalent: £39,239</p> <p>Band 8b and equivalent: £45,707</p> <p>Band 8c and equivalent: £54,998</p> <p>Band 8d and equivalent: £65,922</p> <p>Band 9 and equivalent: £77,850</p> <p>[Source: NHS Agenda for Change 2014]</p>	NQF 6
2214 Ophthalmic opticians	<p>Ophthalmic optician</p> <p>Optician</p> <p>Optologist</p> <p>Optometrist</p>	<p>Band 5 and equivalent: £21,478</p> <p>Band 6 and equivalent: £25,783</p> <p>Band 7 and equivalent: £30,764</p> <p>Band 8a and equivalent: £39,239</p> <p>Band 8b and equivalent: £45,707</p> <p>Band 8c and equivalent: £54,998</p> <p>Band 8d and equivalent: £65,922</p>	NQF 6

		Band 9 and equivalent: £77,850 [Source: NHS Agenda for Change 2014]	
2215 Dental practitioners	Dental surgeon Dentist Orthodontist Periodontist	Foundation year 1 (F1) (Hospital dental services) and equivalent: £30,433 Foundation year 2 (F2) (Hospital dental services) and equivalent: £29,912 [Source: Health Education England] Speciality registrar (StR) and equivalent: £30,002 Speciality dentist: £37,176 Band A posts (e.g. Community practitioner) and equivalent: £38,095 Band B posts (e.g. Senior dental officer) and equivalent: £59,259 Band C posts (e.g. Specialist / managerial posts) and equivalent: £70,899 Consultant (Hospital dental services) and equivalent: £75,249 [Source: NHS Employers Pay and Conditions (M&D) Circular 2/2014]	NQF 6
2216 Veterinarians	Veterinarian Veterinary practitioner Veterinary surgeon	New entrant: £25,200 Experienced worker: £35,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2217 Medical radiographers	Medical radiographer Radiographer	Band 5 and equivalent: £21,478 Band 6 and equivalent: £25,783	NQF 6

	<p>Sonographer</p> <p>Therapeutic radiographer</p> <p>Vascular technologist</p>	<p>Band 7 and equivalent: £30,764</p> <p>Band 8a and equivalent: £39,239</p> <p>Band 8b and equivalent: £45,707</p> <p>Band 8c and equivalent: £54,998</p> <p>Band 8d and equivalent: £65,922</p> <p>Band 9 and equivalent: £77,850</p> <p>[Source: NHS Agenda for Change 2014]</p>	
2218 Podiatrists	<p>Chiropodist</p> <p>Chiropodist-podiatrist</p> <p>Podiatrist</p>	<p>Band 5 and equivalent: £21,478</p> <p>Band 6 and equivalent: £25,783</p> <p>Band 7 and equivalent: £30,764</p> <p>Band 8a and equivalent: £39,239</p> <p>Band 8b and equivalent: £45,707</p> <p>Band 8c and equivalent: £54,998</p> <p>Band 8d and equivalent: £65,922</p> <p>Band 9 and equivalent: £77,850</p> <p>[Source: NHS Agenda for Change 2014]</p>	NQF 6
2219 Health professionals not elsewhere classified	<p>Audiologist</p> <p>Dental hygiene therapist</p> <p>Dietician-nutritionist</p> <p>Family planner</p> <p>Occupational health adviser</p> <p>Paramedical practitioner</p>	<p>Band 5 and equivalent: £21,478</p> <p>Band 6 and equivalent: £25,783</p> <p>Band 7 and equivalent: £30,764</p> <p>Band 8a and equivalent: £39,239</p> <p>Band 8b and equivalent: £45,707</p> <p>Band 8c and equivalent: £54,998</p> <p>Band 8d and equivalent: £65,922</p> <p>Band 9 and equivalent: £77,850</p>	NQF 6

		[Source: NHS Agenda for Change 2014]	
2221 Physiotherapists	Electro-therapist Physiotherapist Physiotherapy practitioner	Band 5 and equivalent: £21,478 Band 6 and equivalent: £25,783 Band 7 and equivalent: £30,764 Band 8a and equivalent: £39,239 Band 8b and equivalent: £45,707 Band 8c and equivalent: £54,998 Band 8d and equivalent: £65,922 Band 9 and equivalent: £77,850 [Source: NHS Agenda for Change 2014]	NQF 6
2222 Occupational therapists	Occupational therapist	Band 5 and equivalent: £21,478 Band 6 and equivalent: £25,783 Band 7 and equivalent: £30,764 Band 8a and equivalent: £39,239 Band 8b and equivalent: £45,707 Band 8c and equivalent: £54,998 Band 8d and equivalent: £65,922 Band 9 and equivalent: £77,850 [Source: NHS Agenda for Change 2014]	NQF 6
2223 Speech and language therapists	Language therapist Speech and language therapist Speech therapist	Band 5 and equivalent: £21,478 Band 6 and equivalent: £25,783 Band 7 and equivalent: £30,764 Band 8a and equivalent: £39,239 Band 8b and equivalent: £45,707	NQF 6

		<p>Band 8c and equivalent: £54,998</p> <p>Band 8d and equivalent: £65,922</p> <p>Band 9 and equivalent: £77,850</p> <p>[Source: NHS Agenda for Change 2014]</p>	
2229 Therapy professionals not elsewhere classified	<p>Art therapist</p> <p>Chiropractor</p> <p>Cognitive behavioural therapist</p> <p>Dance movement therapist</p> <p>Family therapist</p> <p>Nutritionist</p> <p>Osteopath</p> <p>Psychotherapist</p>	<p>Band 5 and equivalent: £21,478</p> <p>Band 6 and equivalent: £25,783</p> <p>Band 7 and equivalent: £30,764</p> <p>Band 8a and equivalent: £39,239</p> <p>Band 8b and equivalent: £45,707</p> <p>Band 8c and equivalent: £54,998</p> <p>Band 8d and equivalent: £65,922</p> <p>Band 9 and equivalent: £77,850</p> <p>[Source: NHS Agenda for Change 2014]</p>	NQF 6
2231 Nurses	<p>District nurse</p> <p>Health visitor</p> <p>Mental health practitioner</p> <p>Nurse</p> <p>Practice nurse</p> <p>Psychiatric nurse</p> <p>Staff nurse</p> <p>Student nurse</p>	<p>Pre-registration candidate nurses who either:</p> <ul style="list-style-type: none"> obtained a Nursing and Midwifery Council permission before 30 March 2015 to undertake the Overseas Nursing Programme, or have arranged to sit an Observed Structured Clinical Examination (OSCE) to obtain Nursing and Midwifery Council registration <p>(Band 3 and equivalent): £16,271</p> <p>Band 5 and equivalent: £21,478</p> <p>Band 6 and equivalent: £25,783</p> <p>Band 7 and equivalent: £30,764</p> <p>Band 8a and equivalent: £39,239</p>	NQF 6

		<p>Band 8b and equivalent: £45,707</p> <p>Band 8c and equivalent: £54,998</p> <p>Band 8d and equivalent: £65,922</p> <p>Band 9 and equivalent: £77,850</p> <p>[Source: NHS Agenda for Change 2014]</p>	
2232 Midwives	<p>Midwife</p> <p>Midwifery sister</p>	<p>Pre-registration candidate midwives who either:</p> <ul style="list-style-type: none"> obtained a Nursing and Midwifery Council permission before 30 March 2015 to undertake the Adaptation to Midwifery Programme, or have arranged to sit an Observed Structured Clinical Examination (OSCE) to obtain Nursing and Midwifery Council registration <p>(Band 3 and equivalent): £16,271</p> <p>Band 5 and equivalent: £21,478</p> <p>Band 6 and equivalent: £25,783</p> <p>Band 7 and equivalent: £30,764</p> <p>Band 8a and equivalent: £39,239</p> <p>Band 8b and equivalent: £45,707</p> <p>Band 8c and equivalent: £54,998</p> <p>Band 8d and equivalent: £65,922</p> <p>Band 9 and equivalent: £77,850</p> <p>[Source: NHS Agenda for Change 2014]</p>	NQF 6
2312 Further education teaching professionals	<p>FE College lecturer</p> <p>Lecturer (further education)</p>	<p>Lecturer or equivalent (new entrant): £21,936</p> <p>Senior lecturer / advanced teacher</p>	NQF 6

	<p>Teacher (further education)</p> <p>Tutor (further education)</p>	<p>and equivalent: £32,421</p> <p>Further education management / principal lecturer and equivalent: £36,162</p> <p>[Source: Teachers' national pay scales]</p>	
2314 Secondary education teaching professionals	<p>Deputy head teacher (secondary school)</p> <p>Secondary school teacher</p> <p>Sixth form teacher</p> <p>Teacher (secondary school)</p>	<p>Unqualified teachers undertaking Overseas Trained Teachers Programme and equivalent: £20,800</p> <p>Qualified teachers and equivalent: £21,804</p> <p>Post-threshold teachers and equivalent: £34,523</p> <p>Leadership group, assistant head teacher, principal teacher and equivalent: £37,836</p> <p>[Source: Teachers' national pay scales]</p>	NQF 6
2315 Primary and nursery education teaching professionals	<p>Deputy head teacher (primary school)</p> <p>Infant teacher</p> <p>Nursery school teacher</p> <p>Primary school teacher</p>	<p>Unqualified teachers undertaking Overseas Trained Teachers Programme and equivalent: £20,800</p> <p>Qualified teachers and equivalent: £21,804</p> <p>Post-threshold teachers and equivalent: £34,523</p> <p>Leadership group, assistant head teacher, principal teacher and equivalent: £37,836</p> <p>[Source: Teachers' national pay scales]</p>	NQF 6
2316 Special needs education teaching professionals	<p>Deputy head teacher (special school)</p> <p>Learning support teacher</p>	<p>Unqualified teachers undertaking Overseas Trained Teachers Programme and equivalent: £20,800</p> <p>Qualified teachers and equivalent:</p>	NQF 6

	<p>Special needs coordinator</p> <p>Special needs teacher</p>	<p>£21,804</p> <p>Post-threshold teachers and equivalent: £34,523</p> <p>Leadership group, assistant head teacher, principal teacher and equivalent: £37,836</p> <p>[Source: Teachers' national pay scales]</p>	
2317 Senior professionals of educational establishments	<p>Administrator (higher education, university)</p> <p>Bursar</p> <p>Head teacher (primary school)</p> <p>Principal (further education)</p> <p>Registrar (educational establishments)</p>	<p>New entrant: £26,600</p> <p>Experienced worker: £39,500</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6
2318 Education advisers and school inspectors	<p>Curriculum adviser</p> <p>Education adviser</p> <p>Education officer</p> <p>School inspector</p>	<p>New entrant: £20,000</p> <p>[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p> <p>Experienced worker: £24,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6
2319 Teaching and other educational professionals not elsewhere classified	<p>Adult education tutor</p> <p>Education consultant</p> <p>Music teacher</p> <p>Nursery manager (day nursery)</p> <p>Owner (nursery: children's)</p> <p>Private tutor</p>	<p>New entrant: £15,900</p> <p>Experienced worker: £20,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6

	TEFL		
2412 Barristers and judges	Advocate Barrister Chairman (appeals tribunal, inquiry) Coroner Crown prosecutor District judge	New entrant: £20,800 Pupillage: £20,800 Experienced worker (not pupillage): £31,900 [Source: The Bar Council in 2011, uplifted based on national changes in earnings and the Tier 2 (General) minimum salary threshold]	NQF 6
2413 Solicitors	Managing clerk (qualified solicitor) Solicitor Solicitor-partner Solicitor to the council	New entrant: £24,700 Experienced worker: £32,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2419 Legal professionals not elsewhere classified	Attorney Justice's clerk Lawyer Legal adviser Legal consultant Legal counsel Solicitor's clerk (articled)	New entrant: £33,300 Experienced worker: £44,100 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 6
2421 Chartered and certified accountants	Accountant (qualified) Auditor (qualified) Chartered accountant Company accountant Cost accountant (qualified)	New entrant: £21,600 Experienced worker: £28,600 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6

	Financial controller (qualified) Management accountant (qualified)		
2423 Management consultants and business analysts	Business adviser Business consultant Business continuity manager Financial risk analyst Management consultant	New entrant: £23,000 Experienced worker: £30,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2424 Business and financial project management professionals	Chief knowledge officer Contracts manager (security services) Project manager Research support officer	New entrant: £24,100 Experienced worker: £33,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2425 Actuaries, economists and statisticians	Actuarial consultant Actuary Economist Statistician Statistical analyst	New entrant: £26,500 Experienced worker: £34,700 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2426 Business and related research professionals	Crime analyst (police force) Fellow (research) Games researcher (broadcasting) Inventor	New entrant: £20,000 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £26,500 [Source: Annual Survey of Hours and Earnings 2014]	
2429 Business, research and	Civil servant (grade 6, 7)	New entrant: £24,300	NQF 6

administrative professionals not elsewhere classified	Company secretary (qualified) Policy adviser (government) Registrar (government)	Experienced worker: £29,400 [Source: Annual Survey of Hours and Earnings 2014]	
2431 Architects	Architect Architectural consultant Chartered architect Landscape architect	Part 1 graduate: £21,000 Part 2 graduate: £23,100 Part 3 graduate / newly-registered architect: £27,300 Experienced worker: £31,400 [Source: Royal Institute of British Architects in 2011, uplifted based on national changes in earnings]	NQF 6
2432 Town planning officers	Planning officer (local government: building and contracting) Town planner Town planning consultant	New entrant: £22,800 Experienced worker: £26,700 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2433 Quantity surveyors	Quantity surveyor Surveyor (quantity surveying)	New entrant: £23,400 Experienced worker: £30,400 [Source: Annual Survey of Hours and Earnings 2014]	
2434 Chartered surveyors	Building surveyor Chartered surveyor Hydrographic surveyor Land surveyor	New entrant: £22,000 Experienced worker: £28,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2436 Construction project managers and related professionals	Contract manager (building construction) Project manager (building construction)	New entrant: £23,900 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 6

	Transport planner	Experienced worker: £25,500 [Source: Annual Survey of Hours and Earnings 2014]	
2442 Social workers	Psychiatric social worker Senior practitioner (local government: social services) Social worker	Band 5 and equivalent: £21,478 Band 6 and equivalent: £25,783 Band 7 and equivalent: £30,764 Band 8a and equivalent: £39,239 Band 8b and equivalent: £45,707 Band 8c and equivalent: £54,998 Band 8d and equivalent: £65,922 Band 9 and equivalent: £77,850 [Source: NHS Agenda for Change 2014]	NQF 6
2443 Probation officers	Inspector (National Probation Service) Probation officer Youth justice officer	New entrant: £20,800 Experienced worker: £29,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2449 Welfare professionals not elsewhere classified	Children's guardian Rehabilitation officer Social services officer Youth worker (professional)	New entrant: £20,800 Experienced worker: £23,100 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2451 Librarians	Chartered librarian Librarian Technical librarian University librarian	New entrant: £17,200 Experienced worker: £19,200 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2452 Archivists and curators	Archivist	New entrant: £17,200	NQF 6

	<p>Conservator</p> <p>Curator</p> <p>Keeper (art galley)</p> <p>Museum officer</p>	<p>Experienced worker: £20,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	
2461 Quality control and planning engineers	<p>Planning engineer</p> <p>Quality assurance engineer</p> <p>Quality control officer (professional)</p> <p>Quality engineer</p>	<p>New entrant: £23,000</p> <p>Experienced worker: £29,400</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6
2462 Quality assurance and regulatory professionals	<p>Compliance manager</p> <p>Financial regulator</p> <p>Patent attorney</p> <p>Quality assurance manager</p> <p>Quality manager</p>	<p>New entrant: £24,300</p> <p>[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p> <p>Experienced worker: £30,400</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	
2463 Environmental health professionals	<p>Air pollution inspector</p> <p>Environmental health officer</p> <p>Food inspector</p> <p>Public health inspector</p> <p>Technical officer (environmental health)</p>	<p>New entrant: £23,800</p> <p>[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p> <p>Experienced worker: £29,100</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6
2471 Journalists, newspaper and periodical editors	<p>Broadcast journalist</p> <p>Editor</p> <p>Journalist</p> <p>Radio journalist</p> <p>Reporter</p>	<p>New entrant: £20,100</p> <p>Experienced worker: £25,100</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 6

2472 Public relations professionals	Account manager (public relations) Information officer (public relations) PR consultant Press officer Public relations officer	New entrant: £17,800 Experienced worker: £23,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
2473 Advertising accounts managers and creative directors	Account manager (advertising) Advertising Manager Campaign Manager Creative Director Projects Manager (advertising)	New entrant: £22,800 Experienced worker: £28,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
3213 Paramedics	Ambulance paramedic Emergency care practitioner Paramedic Paramedic-ECP	Band 5 and equivalent: £21,478 Band 6 and equivalent: £25,783 Band 7 and equivalent: £30,764 [Source: NHS Agenda for Change 2014]	NQF 6
3415 Musicians	Composer Musician Organist Pianist Song writer Violinist	New entrant: £18,600 Experienced worker: £24,200 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
3416 Arts officers, producers and directors	Film editor Production assistant (broadcasting) Studio manager	New entrant: £24,600 Experienced worker: £30,500 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6

	Television producer Theatrical agent		
3512 Aircraft pilots and flight engineers	Airline pilot First officer (airlines) Flight engineer Flying instructor Helicopter pilot	New entrant: £33,100 Experienced worker: £69,600 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
3532 Brokers	Foreign exchange dealer Insurance broker Investment administrator Stockbroker Trader (stock exchange)	New entrant: £22,200 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £40,500 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
3534 Finance and investment analysts and advisers	Financial adviser Financial analyst Financial consultant Mortgage adviser Pensions consultant	New entrant: £21,400 Experienced worker: £26,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
3535 Taxation experts	Tax adviser Tax consultant Tax inspector Taxation specialist	New entrant: £19,800 Experienced worker: £33,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6
3538 Financial accounts managers	Accounts manager Audit manager Credit manager	New entrant: £22,200 Experienced worker: £27,500 [Source: Annual Survey of Hours	NQF 6

	Fund manager Relationship manager (bank)	and Earnings 2014]	
3545 Sales accounts and business development managers	Account manager (sales) Area sales manager Business development manager Product development manager Sales manager	New entrant: £25,000 Experienced worker: £32,500 [Source: Annual Survey of Hours and Earnings 2014]	NQF 6

Table 3: Occupations skilled to National Qualifications Framework (NQF) level 4 and above

SOC code and description	Related job titles	Appropriate salary rates	Skill level
All occupations in Table 1	As stated in Table 1	As stated in Table 1	PhD
All occupations in Table 2	As stated in Table 2	As stated in Table 2	NQF 6
1211 Managers and proprietors in agriculture and horticulture	Farm manager Farm owner Nursery manager (horticulture)	New entrant: £15,700 [Source: Annual Survey of Hours and Earnings 2012 (no equivalent 2013 or 2014 data available)] Experienced worker: £21,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
1213 Managers and proprietors in forestry, fishing and related services	Cattery owner Forest manager Racehorse trainer	New entrant: £15,700 [Source: Annual Survey of Hours and Earnings 2012 (no equivalent 2013 or 2014 data available)] Experienced worker: £21,400 [Source: Annual Survey of Hours	NQF 4

		and Earnings 2013 (no equivalent 2014 data available)]	
1241 Health care practice managers	Clinic manager GP practice manager Veterinary practice manager	New entrant: £19,600 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £25,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
1242 Residential, day and domiciliary care managers and proprietors	Care manager Day centre manager Nursing home owner Residential manager (residential home)	New entrant: £19,600 Experienced worker: £23,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
1251 Property, housing and estate managers	Estate manager Facilities manager Landlord (property management) Property manager	New entrant: £19,400 Experienced worker: £26,500 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
1255 Waste disposal and environmental services managers	Environmental manager (refuse disposal) Manager (local government: cleansing dept.) Recycling plant manager Scrap metal dealer	New entrant: £18,200 Experienced worker: £28,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
1259 Managers and proprietors in other services not elsewhere	Betting shop manager Graphic design classified manager Library manager	New entrant: £17,300 Experienced worker: £22,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4

	Plant hire manager Production manager (entertainment)		
2435 Chartered architectural technologists	Architectural technologist	New entrant: £22,800 Experienced worker: £28,500 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3116 Planning, process and production technicians	Process technician Production controller Production planner Production technician	New entrant: £19,800 Experienced worker: £23,400 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3121 Architectural and town planning technicians	Architectural assistant Architectural technician Construction planner Planning enforcement officer	New entrant: £19,500 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £23,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3131 IT operations technicians	Computer games tester Database administrator IT technician Network administrator Systems administrator	New entrant: £17,300 Experienced worker: £21,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3218 Medical and dental technicians	Cardiographer Dental hygienist Dental technician Medical technical officer	Band 3 and equivalent: £16,271 Band 4 and equivalent: £18,838 Band 5 and equivalent: £21,478 Band 6 and equivalent: £25,783 Band 7 and equivalent: £30,764	NQF 4

	Orthopaedic technician	[Source: NHS Agenda for Change 2014]	
3219 Health associate professionals not elsewhere classified	Acupuncturist Homeopath Hypnotherapist Massage therapist Reflexologist Sports therapist	Band 3 and equivalent: £16,271 Band 4 and equivalent: £18,838 Band 5 and equivalent: £21,478 Band 6 and equivalent: £25,783 Band 7 and equivalent: £30,764 [Source: NHS Agenda for Change 2014]	NQF 4
3319 Protective service associate professionals not elsewhere classified	Customs officer Immigration officer Operations manager (security services) Scenes of crime officer Security manager	New entrant: £24,000 Experienced worker: £27,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3411 Artists	Artist Illustrator Portrait painter Sculptor	New entrant: £18,600 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £21,500 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 4
3412 Authors, writers and translators	Copywriter Editor (books) Interpreter Technical author Translator Writer	New entrant: £18,600 Experienced worker: £22,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4

3413 Actors, entertainers and presenters	Actor Disc jockey Entertainer Presenter (broadcasting) Singer	New entrant: £18,600 Experienced worker: £24,200 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3414 Dancers and choreographers	Ballet dancer Choreographer Dancer Dance teacher	New entrant: £18,600 Experienced worker: £24,200 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3422 Product, clothing and related designers	Design consultant Fashion designer Furniture designer Interior designer Kitchen designer Textile designer	New entrant: £19,600 Experienced worker: £23,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3513 Ship and hovercraft officers	Chief engineer (shipping) Marine engineer (shipping) Merchant navy officer Petty officer Tug master Yacht skipper	New entrant: £33,100 Experienced worker: £51,500 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3531 Estimators, valuers and assessors	Claims assessor Claims investigator Engineering surveyor	New entrant: £18,000 Experienced worker: £23,500 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4

	Estimator Loss adjuster Valuer		
3537 Financial and accounting technicians	Accounting technician Business associate (banking) Financial controller Insolvency administrator Managing clerk (accountancy)	New entrant: £21,500 Experienced worker: £28,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3539 Business and related associate professionals not elsewhere classified	Business systems analyst Data analyst Marine consultant Planning assistant Project administrator Project coordinator	New entrant: £17,300 Experienced worker: £21,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3541 Buyers and procurement officers	Buyer Procurement officer Purchasing consultant	New entrant: £19,600 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £23,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3543 Marketing associate professionals	Business development executive Fundraiser Market research analyst Marketing consultant	New entrant: £17,600 Experienced worker: £21,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4

	Marketing executive		
3546 Conference and exhibition managers and organisers	Conference coordinator Event organiser Events manager Exhibition organiser Hospitality manager	New entrant: £16,600 Experienced worker: £20,300 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 4
3561 Public services associate professionals Civil servant (HEO, SEO)	Higher executive officer (government) Principle revenue officer (local government) Senior executive officer (government)	New entrant: £21,800 Experienced worker: £25,100 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3563 Vocational and industrial trainers and instructors	IT trainer NVQ assessor Technical instructor Training consultant Training manager	New entrant: £18,300 Experienced worker: £22,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
3564 Careers advisers and vocational guidance specialists	Careers adviser Careers consultant Careers teacher Placement officer	New entrant: £19,600 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £22,900 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 4
3565 Inspectors of standards and regulations	Building inspector Driving examiner Housing inspector Meat hygiene inspector	New entrant: £22,200 Experienced worker: £25,100 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4

	Trading standards officer		
3567 Health and safety officers	Fire protection engineer (professional) Health and safety officer Occupational hygienist Safety consultant Safety officer	New entrant: £24,100 Experienced worker: £28,200 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
4161 Office managers	Business support manager Delivery office manager Office manager Practice manager Sales administration manager Sales office manager	New entrant: £18,300 Experienced worker: £23,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4
7220 Customer service managers and supervisors	After sales manager Call centre supervisor Customer service manager Customer service supervisor Team leader (customer care)	New entrant: £17,700 Experienced worker: £21,700 [Source: Annual Survey of Hours and Earnings 2014]	NQF 4

Table 4: Occupations skilled to National Qualifications Framework (NQF) level 3 and above

SOC code and description	Related job titles	Appropriate salary rates	Skill level
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All occupations in Table 1	As stated in Table 1	As stated in Table 1	PhD
All occupations in Table 2	As stated in Table 2	As stated in Table 2	NQF 6
All occupations in Table 3	As stated in Table 3	As stated in Table 3	NQF 4
1162 Managers and directors in storage and warehousing	Logistics manager Warehouse manager	New entrant: £17,800 Experienced worker: £22,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
1190 Managers and directors in retail and wholesale	Managing director (retail trade) Retail manager Shop manager (charitable organisation) Wholesale manager	New entrant: £15,100 Experienced worker: £18,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
1221 Hotel and accommodation managers and proprietors	Caravan park owner Hotel manager Landlady (boarding, guest, lodging house)	New entrant: £15,700 Experienced worker: £19,100 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
1225 Leisure and sports managers	Amusement arcade owner Leisure centre manager Social club manager Theatre manager	New entrant: £17,600 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £20,200 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 3
1226 Travel agency managers and proprietors	Tourist information manager Travel agency owner Travel manager	New entrant: £15,800 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £17,900	NQF 3

		[Source: Annual Survey of Hours and Earnings 2012 (no equivalent 2013 or 2014 data available)]	
1252 Garage managers and proprietors	Garage director Garage owner Manager (repairing: motor vehicles)	New entrant: £18,200 Experienced worker: £24,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
1253 Hairdressing and beauty salon managers and proprietors	Hairdressing salon owner Health and fitness manager Manager (beauty salon)	New entrant: £18,200 Experienced worker: £24,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
1254 Shopkeepers and proprietors - wholesale and retail	Antiques dealer Fashion retailer Newsagent Shopkeeper	New entrant: £18,200 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £18,800 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 3
3111 Laboratory technicians	Laboratory analyst Laboratory technician Medical laboratory assistant Scientific technician Water tester	New entrant: £15,100 Experienced worker: £17,700 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3112 Electrical and electronics technicians	Avionics technician Electrical technician Electronics technician Installation engineer (Electricity Supplier)	New entrant: £17,600 Experienced worker: £24,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3113 Engineering	Aircraft technician	New entrant: £20,400	NQF 3

technicians	Commissioning engineer Engineering technician Manufacturing engineer Mechanical technician	[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £27,600 [Source: Annual Survey of Hours and Earnings 2014]	
3114 Building and civil engineering technicians	Building services consultant Civil engineering technician Survey technician Technical assistant (civil engineering)	New entrant: £17,600 Experienced worker: £21,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3115 Quality assurance technicians	Quality assurance technician Quality control technician Quality officer Quality technician Test technician	New entrant: £19,700 Experienced worker: £22,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3119 Science, engineering and production technicians not elsewhere classified	School technician Technical assistant Technician Textile consultant Workshop technician	New entrant: £16,700 Experienced worker: £21,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3122 Draughtspersons	CAD operator Cartographer Design technician Draughtsman	New entrant: £19,500 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £23,100	NQF 3

		[Source: Annual Survey of Hours and Earnings 2014]	
3216 Dispensing opticians	Dispensing optician Optical dispenser	New entrant: £18,800 Experienced worker: £22,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3231 Youth and community workers	Community development officer Youth and community worker Youth project coordinator Youth worker	New entrant: £18,200 Experienced worker: £21,200 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3234 Housing officers	Housing adviser Housing officer Homeless prevention officer Housing support officer	New entrant: £18,600 Experienced worker: £21,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3235 Counsellors	Counsellor (welfare services) Debt adviser Drugs and alcohol counsellor Student counsellor	New entrant: £17,900 Experienced worker: £21,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3239 Welfare and housing associate professionals not elsewhere classified	Day centre officer Health coordinator Key worker (welfare services) Outreach worker (welfare services) Probation services	New entrant: £17,400 Experienced worker: £20,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3

	officer Project worker (welfare services)		
3312 Police officers (sergeant and below)	Detective (police service) Police constable Police officer Sergeant Transport police officer	New entrant: £30,200 Experienced worker: £33,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3313 Fire service officers (watch manager and below)	Fire engineer Fire safety officer Firefighter Watch manager (fire service)	New entrant: £27,800 Experienced worker: £29,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3421 Graphic designers	Commercial artist Designer (advertising) Graphic artist Graphic designer MAC operator	New entrant: £18,200 Experienced worker: £21,200 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3443 Fitness instructors	Aerobics instructor Fitness instructor Gym instructor Lifestyle consultant Personal trainer Pilates instructor	New entrant: £12,500 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £14,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3511 Air traffic controllers	Air traffic control officer Air traffic controller	New entrant: £33,100 Experienced worker: £56,200	NQF 3

	Air traffic services assistant Flight planner	[Source: Annual Survey of Hours and Earnings 2014]	
3520 Legal associate professionals	Barrister's clerk Compliance officer Conveyancer Legal executive Litigator Paralegal	New entrant: £17,500 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £21,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3533 Insurance underwriters	Account handler (insurance) Commercial underwriter Insurance inspector Mortgage underwriter Underwriter	New entrant: £21,100 Experienced worker: £24,700 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3536 Importers and exporters	Export controller Export coordinator Exporter Import agent Importer	New entrant: £19,800 Experienced worker: £25,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3542 Business sales executives	Corporate account executive Sales agent Sales consultant Sales executive Technical representative	New entrant: £17,600 Experienced worker: £22,700 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3

3544 Estate agents and auctioneers	Auctioneer Auctioneer and valuer Estate agent Letting agent Property consultant	All workers: £18,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3550 Conservation and environmental associate professionals	Conservation worker Countryside ranger National park warden Park ranger	New entrant: £19,700 Experienced worker: £19,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
3562 Human resources and industrial relations officers	Employment adviser Human resources officer Personnel officer Recruitment consultant	New entrant: £18,500 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £22,100 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 3
4112 National government administrative occupations	Administrative assistant (courts of justice) Administrative officer (government) Civil servant (EO) Clerk (government) Revenue officer (government)	New entrant: £17,000 Experienced worker: £19,100 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
4114 Officers of non-governmental organisations	Administrator (charitable organisation) Organiser (trade union) Secretary (research association)	New entrant: £17,000 Experienced worker: £20,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3

	Trade union official		
4134 Transport and distribution clerks and assistants	Export clerk Logistics controller Shipping clerk Transport administrator Transport clerk Transport coordinator	New entrant: £17,000 Experienced worker: £19,400 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
4151 Sales administrators	Marketing administrator Sales administrator Sales clerk Sales coordinator	New entrant: £14,600 Experienced worker: £16,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
4214 Company secretaries	Assistant secretary Club secretary Company secretary	New entrant: £13,500 Experienced worker: £18,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
4215 Personal assistants and other secretaries	Executive assistant PA-secretary Personal assistant Personal secretary Secretary	New entrant: £16,100 Experienced worker: £19,600 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5211 Smiths and forge workers	Blacksmith Chain repairer Farrier Pewtersmith Steel presser	New entrant: £17,400 Experienced worker: £20,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5213 Sheet metal	Coppersmith	New entrant: £17,400	NQF

workers	Panel beater (metal trades) Sheet metal fabricator Sheet metal worker	Experienced worker: £20,400 [Source: Annual Survey of Hours and Earnings 2014]	3
5221 Metal machining setters and setter-operators	CNC machinist CNC programmer Centre lathe turner Miller (metal trades) Tool setter Turner	New entrant: £18,000 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £21,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5222 Tool makers, tool fitters and markers-out	Die maker Engineer-toolmaker Jig maker Marker-out (engineering) Tool fitter Tool maker	New entrant: £17,400 Experienced worker: £22,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5224 Precision instrument makers and repairers	Calibration engineer Horologist Instrument maker Instrument mechanic Instrument technician Optical technician Precision engineer Watchmaker	New entrant: £17,400 Experienced worker: £22,200 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5231 Vehicle technicians,	Auto electrician	New entrant: £15,900	NQF 3

mechanics and electricians	<p>Car mechanic</p> <p>HGV mechanic</p> <p>Mechanic (garage)</p> <p>MOT tester</p> <p>Motor mechanic</p> <p>Motor vehicle technician</p> <p>Technician (motor vehicles)</p> <p>Vehicle technician</p>	<p>Experienced worker: £20,200</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	
5232 Vehicle body builders and repairers	<p>Bodyshop technician</p> <p>Car body repairer</p> <p>Coach builder</p> <p>Panel beater</p> <p>Restoration technician (motor vehicles)</p> <p>Vehicle builder</p>	<p>New entrant: £17,700</p> <p>Experienced worker: £20,000</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3
5234 Vehicle paint technicians	<p>Car paint sprayer</p> <p>Coach painter</p> <p>Paint technician (motor vehicles)</p> <p>Vehicle refinisher</p>	<p>New entrant: £16,600</p> <p>Experienced worker: £19,500</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3
5242 Tele-communications engineers	<p>Cable jointer</p> <p>Customer service engineer (telecommunications)</p> <p>Installation engineer (telecommunications)</p> <p>Network officer (telecommunications)</p>	<p>New entrant: £24,400</p> <p>Experienced worker: £27,200</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3

	Telecommunications engineer Telephone engineer		
5244 TV, video and audio engineers	Installation engineer (radio, television and video) Satellite engineer Service engineer (radio, television and video) Technician (radio, television and video) Television engineer	New entrant: £19,900 Experienced worker: £23,600 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5245 IT engineers	Computer repairer Computer service engineer Hardware engineer (computer) Maintenance engineer (computer servicing)	New entrant: £19,900 Experienced worker: £20,600 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5311 Steel erectors	Steel erector Steel fabricator Steel worker (structural engineering)	New entrant: £16,500 Experienced worker: £20,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5313 Roofers, roof tilers and slaters	Mastic asphalt spreader Roof tiler Roofer Roofing contractor Slater Thatcher	New entrant: £16,500 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £19,000 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 3
5314 Plumbers	Gas engineer	New entrant: £19,800	NQF

and heating and ventilating engineers	Gas service engineer Heating and ventilating engineer Heating engineer Plumber Plumbing and heating engineer	Experienced worker: £23,400 [Source: Annual Survey of Hours and Earnings 2014]	3
5319 Construction and building trades not elsewhere classified	Acoustician Builder Building contractor Fencer Maintenance manager (buildings and other structures) Property developer (building construction)	New entrant: £17,600 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)] Experienced worker: £20,600 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5411 Weavers and knitters	Carpet weaver Knitter Knitwear manufacturer Weaver	New entrant: £13,500 Experienced worker: £15,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5412 Upholsterers	Curtain fitter Curtain maker Soft furnisher Trimmer (furniture mfr) Upholsterer	New entrant: £13,500 Experienced worker: £15,700 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5413 Footwear and leather working trades	Cobbler Leather worker (leather goods mfr)	New entrant: £13,500 Experienced worker: £15,800	NQF 3

	Machinist (leather goods mfr) Shoe machinist Shoe repairer	[Source: Annual Survey of Hours and Earnings 2014]	
5421 Pre-press technicians	Compositor Plate maker Pre-press manager Pre-press technician Type setter	New entrant: £15,600 Experienced worker: £18,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5422 Printers	Lithographic printer Machine minder (printing) Print manager Screen printer Wallpaper printer	New entrant: £16,100 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £20,100 [Source: Annual Survey of Hours and Earnings 2012 (no equivalent 2013 or 2014 data available)]	NQF 3
5423 Print finishing and binding workers	Binder's assistant Book binder Finishing supervisor (printing) Print finisher	New entrant: £14,900 Experienced worker: £17,300 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5431 Butchers	Butcher Butcher's assistant Butchery manager Master butcher Slaughterman	New entrant: £12,700 Experienced worker: £15,600 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5432 Bakers and flour confectioners	Baker Baker's assistant	New entrant: £14,400 Experienced worker: £16,100	NQF 3

	Bakery manager Cake decorator Confectioner	[Source: Annual Survey of Hours and Earnings 2014]	
5441 Glass and ceramics makers, decorators and finishers	Ceramic artist Glass blower Potter (ceramics mfr) Pottery worker Sprayer (ceramics mfr) Stained glass artist	All workers: £14,400 [Source: Annual Survey of Hours and Earnings 2012 (no equivalent 2013 or 2014 data available)]	NQF 3
5442 Furniture makers and other craft woodworkers	Antiques restorer Cabinet maker Coffin maker Furniture restorer Picture framer Sprayer (furniture mfr)	New entrant: £14,400 Experienced worker: £17,500 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
5449 Other skilled trades not elsewhere classified	Diamond moulder Engraver Goldsmith Paint sprayer Piano tuner Sign maker Silversmith Wig maker	New entrant: £14,900 Experienced worker: £19,000 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 3
6131 Veterinary nurses	Animal nurse Veterinary nurse	New entrant: £12,200 Experienced worker: £14,700	NQF 3

		[Source: Annual Survey of Hours and Earnings 2014]	
6144 Houseparents and residential wardens	Foster carer Matron (residential home) Resident warden Team leader (residential care home) Warden (sheltered housing)	New entrant: £13,300 Experienced worker: £16,700 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
6214 Air travel assistants	Air hostess Cabin crew Customer service agent (travel) Flight attendant Passenger service agent	New entrant: £13,100 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £17,900 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 3
6215 Rail travel assistants	Retail service manager (railways) Station assistant (underground railway) Ticket inspector (railways) Train conductor Train manager	New entrant: £21,000 Experienced worker: £26,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
7125 Merchandisers and window dressers	Merchandiser Sales merchandiser Visual merchandising manager Window dresser	New entrant: £13,400 Experienced worker: £16,200 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3
7130 Sales supervisors	Sales supervisor (retail trade: delivery round)	New entrant: £13,900	NQF 3

	<p>Section manager (retail trade)</p> <p>Shop supervisor (retail trade)</p> <p>Supervisor (retail, wholesale trade)</p> <p>Team leader (retail trade)</p>	<p>Experienced worker: £15,900</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	
7215 Market research interviewers	<p>Interviewer (market research)</p> <p>Market researcher (interviewing)</p> <p>Telephone interviewer</p> <p>Telephone researcher</p> <p>Traffic enumerator</p>	<p>New entrant: £12,500</p> <p>Experienced worker: £15,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3
8124 Energy plant operatives	<p>Boilerman</p> <p>Control room operator(electric)</p> <p>Hydraulic engineman</p> <p>Plant operator (electricity supplier)</p> <p>Power station operator</p>	<p>New entrant: £14,300</p> <p>Experienced worker: £17,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3
8126 Water and sewerage plant operatives	<p>Controller (water treatment)</p> <p>Plant operator (sewage works)</p> <p>Pump attendant</p> <p>Water treatment engineer</p> <p>Water treatment operator</p>	<p>New entrant: £14,300</p> <p>Experienced worker: £23,700</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3

8215 Driving instructors	Driving instructor	New entrant: £14,800	NQF 3
	HGV instructor	Experienced worker: £18,400	
	Instructor (driving school)	[Source: Annual Survey of Hours and Earnings 2014]	
	Motorcycle instructor		

Table 5: Occupations in which some jobs are skilled to National Qualifications Framework (NQF) level 3 and some jobs are lower-skilled

SOC code and description	Related job titles	Jobs which are skilled to NQF 3 (other jobs are lower-skilled)	Appropriate salary rates	Skill level
1223 Restaurant and catering establishment managers and proprietors	Café owner Fish & chip shopkeeper Operations manager (catering) Restaurant manager Shop manager (take-away food shop)	<ul style="list-style-type: none"> • Restaurant manager • Fast food restaurant manager • Assistant restaurant manager, establishments with 80 or more covers (covers being the maximum number of customers that can be seated at any one time) 	New entrant: £14,300 Experienced worker: £18,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3 / Lower-skilled
1224 Publicans and managers of licensed premises	Landlady (public house) Licensee Manager (wine bar) Publican	<ul style="list-style-type: none"> • Publican • Licensee or pub manager 	New entrant: £15,800 Experienced worker: £16,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3 / Lower-skilled
3132 IT user support technicians	Customer support analyst Help desk operator	<ul style="list-style-type: none"> • Senior PC support analyst • Senior PC support • Technical pre- or post-sales support 	New entrant: £18,400 Experienced worker: £22,800	NQF 3 / Lower-skilled

	IT support technician Systems support officer	<ul style="list-style-type: none"> • Senior database administrator or analyst • Database administrator or analyst • Computer engineers, installation and maintenance 	[Source: Annual Survey of Hours and Earnings 2014]	
3217 Pharmaceutical technicians	Dispensing technician Pharmaceutical technician Pharmacy technician	<ul style="list-style-type: none"> • Jobs at NHS Agenda for Change band 4 or equivalent or above 	New entrant: £18,800 Experienced worker: £19,000 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3 / Lower-skilled
3417 Photographers, audio-visual and broadcasting equipment operators	Audio visual technician Cameraman Photographer Projectionist Sound engineer Theatre technician (entertainment)	<ul style="list-style-type: none"> • Audio visual technician • Senior audio visual technician • Photographer • Press photographer (regional) • Press photographer (National) • Film technician • Sound recordist • Camera operator (film, television production) 	New entrant: £17,100 Experienced worker: £21,700 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3 / Lower-skilled
5111 Farmers	Agricultural contractor Agricultural technician Crofter (farming) Farmer Herd manager	<ul style="list-style-type: none"> • Herd managers • Livestock breeders • Pig breeders • Agricultural contractor jobs that require an NQF level 3 in Agricultural Crop Production, Mixed Farming or Livestock 	New entrant: £14,100 Experienced worker: £16,100 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3 / Lower-skilled

		Production, or an NPTC Advanced National Certificate in Agriculture		
5112 Horticultural trades	<p>Grower</p> <p>Horticulturalist (market gardening)</p> <p>Market Gardener</p> <p>Nursery Assistant (agriculture)</p> <p>Nurseryman</p>	<ul style="list-style-type: none"> • Horticultural foreman • Horticultural nursery supervisor • Horticultural technician • Nursery stock production technician or specialist 	<p>New entrant: £14,100</p> <p>Experienced worker: £16,100</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled
5113 Gardeners and landscape gardeners	<p>Garden designer</p> <p>Gardener</p> <p>Gardener-handyman</p> <p>Landscape gardener</p>	<ul style="list-style-type: none"> • Gardening Team Supervisor or Manager • Landscaper jobs, where the job requires a Registration of Land-Based Operatives (ROLO) Gold Card • Garden Designer 	<p>New entrant: £13,600</p> <p>Experienced worker: £16,200</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled
5114 Groundsmen and greenkeepers	<p>Greenkeeper</p> <p>Groundsman</p> <p>Groundsperson</p>	<ul style="list-style-type: none"> • Head Greenkeeper • Ground Manager • Head Groundsperson 	<p>New entrant: £14,200</p> <p>Experienced worker: £15,900</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled
5119 Agricultural and fishing trades not elsewhere classified	<p>Aboricultural consultant</p> <p>Bee farmer</p> <p>Gamekeeper</p>	<ul style="list-style-type: none"> • Fishing vessel skippers in inshore areas, and limited and unlimited offshore areas 	<p>New entrant: £14,100</p> <p>Experienced worker: £16,100</p>	NQF 3 / Lower-skilled

	Share fisherman Trawler skipper Tree surgeon	<ul style="list-style-type: none"> • Fishing vessel mates in unlimited offshore areas • Forest officers and forest or woodland managers • Supervising tree surgeons and supervising arbori-culturists / arborists • Head gamekeepers, head river keepers and head ghillies • Managers in animal husbandry, forestry and fishing not elsewhere classified 	[Source: Annual Survey of Hours and Earnings 2014]	
5212 Moulders, core makers and die casters	Core Maker (metal trades) Die Caster Moulder (metal trades) Pipe Maker (foundry)	<ul style="list-style-type: none"> • Jobs which require an engineering technician registered with the Engineering Council • Jobs which require an NQF level 3 qualification in Materials Processing and Finishing • Foundry or casting shop foremen 	New entrant: £17,400 Experienced worker: £20,900 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3 / Lower-skilled
5214 Metal plate workers, and riveters	Boiler maker Metal plate worker Plater Plater-welder	<ul style="list-style-type: none"> • Jobs which require successful completion of the National Apprenticeship Scheme for Engineering Construction (NASEC) 	New entrant: £17,400 Experienced worker: £24,100 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3 / Lower-skilled

		<ul style="list-style-type: none"> Jobs which require successful completion of an Advanced Modern Apprenticeship in fabrication or welding 	2014]	
5215 Welding trades	<p>Fabricator-welder</p> <p>Fitter-welder</p> <p>Spot welder (metal)</p> <p>Welder</p> <p>Welding technician</p>	<ul style="list-style-type: none"> High integrity pipe welders where the job requires three or more years related on-the-job experience Welding foreman Welding engineer or consultant Welding fitter Welding supervisor Welding technician Jobs which require successful completion of an Advanced Modern Apprenticeship in fabrication or welding 	<p>New entrant: £18,400</p> <p>[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p> <p>Experienced worker: £20,400</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled
5216 Pipe fitters	<p>Pipe engineer</p> <p>Pipe fitter</p> <p>Pipe welder-fitter</p>	<ul style="list-style-type: none"> Pipe fitter / welder jobs that require an Engineering Services Gold SKILLcard in Heating and Ventilation Fitting / Welding 	<p>New entrant: £17,400</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p> <p>Experienced worker: £28,900</p> <p>[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p>	NQF 3 / Lower-skilled
5223 Metal working	Agricultural engineer	<ul style="list-style-type: none"> Fitter, turner or millwright jobs 	New entrant: £17,200	NQF 3 / Lower-

production and maintenance fitters	Bench fitter Engineering machinist Fabricator Installation engineer Maintenance fitter Mechanical engineer	that require a completed Engineering Advanced Apprenticeship with an NQF level 3 qualification in Engineering Maintenance or Engineering Technology and Maintenance	Experienced worker: £22,300 [Source: Annual Survey of Hours and Earnings 2014]	skilled
5235 Aircraft maintenance and related trades	Aeronautical engineer Aircraft electrician Aircraft engineer Aircraft fitter Aircraft mechanic Maintenance engineer (aircraft)	<ul style="list-style-type: none"> • Aircraft engineers • Licensed and military certifying engineer / inspector technician • Airframe fitter 	New entrant: £21,900 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £27,100 [Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]	NQF 3 / Lower-skilled
5236 Boat and ship builders and repairers	Boat builder Fitter (boat building) Frame turner (ship building) Marine engineer Ship's joiner Shipwright	<ul style="list-style-type: none"> • Jobs which require successful completion of the National Apprenticeship Scheme for Engineering Construction (NASEC) • Jobs which require successful completion of an Advanced Modern Apprenticeship in fabrication or 	New entrant: £16,600 [Source: Annual Survey of Hours and Earnings 2014] Experienced worker: £22,300 [Source: Annual Survey of Hours and Earnings 2012 (no equivalent	NQF 3 / Lower-skilled

		welding	2013 or 2014 data available)]	
5241 Electricians and electrical fitters	Electrical contractor Electrical engineer Electrical fitter Electrician	<ul style="list-style-type: none"> Electricians, as defined by the joint industry board (JIB) or the Scottish joint industry board (SJIB) grading definitions Approved electricians, as defined by the JIB / SJIB grading definitions Technicians, as defined by the JIB / SJIB grading definitions 	<p>New entrant: £19,800</p> <p>Experienced worker: £24,900</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled
5249 Electrical and electronic trades not elsewhere classified	Alarm engineer Electronics engineer Field engineer Linesman Service engineer	<ul style="list-style-type: none"> LE1-equivalent line workers and cable jointers (Chargehands or Leadhands) Electrical / electronics engineers not elsewhere classified 	<p>New entrant: £19,100</p> <p>[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p> <p>Experienced worker: £24,400</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled
5312 Bricklayers and masons	Bricklayer Dry stone waller Stone mason	<ul style="list-style-type: none"> Architectural Stone Carver Stonemason Bricklayer, where the job requires NQF level 3 in Bricklaying or Trowel Trades 	<p>New entrant: £16,900</p> <p>Experienced worker: £21,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled
5414 Tailors	Cutter (hosiery,	<ul style="list-style-type: none"> Bespoke or 	New entrant:	NQF 3 /

and dress-makers	knitwear mfr) Dressmaker Fabric cutter Tailor Tailoress	handcraft tailor jobs that require a completed Bespoke Tailoring Apprenticeship leading to an NQF level 3 in Bespoke Cutting and Tailoring <ul style="list-style-type: none"> Jobs that require a completed Modern Apprenticeship in Handicraft Tailoring leading to an NQF level 3 in Apparel Manufacturing Technology 	£13,500 Experienced worker: £15,800 [Source: Annual Survey of Hours and Earnings 2014]	Lower-skilled
5419 Textiles, garments and related trades not elsewhere classified	Clothing manufacturer Embroiderer Hand sewer Sail maker Upholstery cutter	<ul style="list-style-type: none"> Jobs that require Licentiatehip (LTI) or Associateship (Ctext ATI) of the Textile Institute Pattern cutter jobs that require an ABC Level 3 Certificate in Pattern Cutting or an NQF level 3 in Apparel Technology Head pattern graders Pattern grader jobs that require a completed Advanced Apprenticeship in Textiles 	New entrant: £13,500 Experienced worker: £15,800 [Source: Annual Survey of Hours and Earnings 2014]	NQF 3 / Lower-skilled
5433 Fish-mongers and poultry dressers	Butcher (fish, poultry) Filleter (fish) Fish processor	<ul style="list-style-type: none"> Manual filleters of frozen fish, where the job requires an individual with three or more years' related on-the-job paid 	New entrant: £12,500 Experienced worker: £15,200 [Source: Annual	NQF 3 / Lower-skilled

	<p>Fishmonger</p> <p>Poultry processor</p>	<p>experience</p> <ul style="list-style-type: none"> • Machine-trained operatives in the fish processing industry, where the job requires an individual with three or more years' related on-the-job paid experience • Quality controllers in the fish processing industry, where the job requires an individual with three or more years' related on-the-job paid experience 	<p>Survey of Hours and Earnings 2014]</p>	
5434 Chefs	<p>Chef</p> <p>Chef-manager</p> <p>Head chef</p> <p>Pastry chef</p>	<ul style="list-style-type: none"> • Skilled chef jobs where the pay is at least equal to the appropriate salary rates shown and the job requires three or more years relevant experience 	<p>All rates apply after deductions for accommodation, meals, etc. Any overtime must also be paid at least at these rates.</p> <p>Skilled chef as defined in the Shortage Occupation List in Appendix K: £29,570</p> <p>[Source: Migration Advisory Committee]</p> <p>Other chef (new entrant): £12,400</p> <p>Other chef (experienced worker): £15,300</p>	<p>NQF 3 / Lower-skilled</p>

			[Source: Annual Survey of Hours and Earnings 2014]	
5436 Catering and bar managers	<p>Bar manager</p> <p>Catering manager</p> <p>Floor manager (restaurant)</p> <p>Kitchen manager</p> <p>Steward (club)</p>	<ul style="list-style-type: none"> • Catering manager • Banqueting manager • Hotel food and beverage manager 	<p>New entrant: £13,200</p> <p>Experienced worker: £15,500</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled
5443 Florists	<p>Floral assistant</p> <p>Floral designer</p> <p>Florist</p> <p>Flower arranger</p>	<ul style="list-style-type: none"> • Florist managers and shop managers who manage purchasing and relationships with suppliers, manage and develop staff, and ensure that the business meets health and safety standards and other legal requirements • Senior florists and floral designers who manage the production and design of formal displays 	<p>New entrant: £14,400</p> <p>Experienced worker: £16,900</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled
6121 Nursery nurses and assistants	<p>Crèche assistant</p> <p>Crèche worker</p> <p>Nursery assistant</p> <p>Nursery nurse</p>	<ul style="list-style-type: none"> • Nursery nurse / practitioner • Nursery supervisor • Nursery room leader • Montessori teacher • Pre-school assistant 	<p>New entrant: £10,400</p> <p>[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p> <p>Experienced worker: £12,600</p>	NQF 3 / Lower-skilled

			[Source: Annual Survey of Hours and Earnings 2014]	
6123 Play-workers	<p>Playgroup assistant</p> <p>Playgroup leader</p> <p>Playgroup supervisor</p> <p>Playworker</p>	<ul style="list-style-type: none"> • Playgroup leader • Playgroup supervisor 	<p>New entrant: £11,000</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p> <p>Experienced worker: £10,500</p> <p>[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p>	NQF 3 / Lower-skilled
6139 Animal care services occupations not elsewhere classified	<p>Animal technician</p> <p>Canine beautician</p> <p>Groom</p> <p>Kennel assistant</p> <p>Kennel maid</p> <p>Stable hand</p>	<ul style="list-style-type: none"> • Head lad and travelling head lad for horseracing stables • Head groom for horseracing stables and performance horse stud farms • Competition groom • Stud hand, stallion handler, foaling specialists in performance horse stud farms • Head riding instructor • Work rider 	<p>New entrant: £12,700</p> <p>[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p> <p>Experienced worker: £14,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled
6141 Nursing auxiliaries and assistants	<p>Auxiliary nurse</p> <p>Health care assistant (hospital service)</p>	<ul style="list-style-type: none"> • Jobs at NHS Agenda for Change band 3 or equivalent or above 	<p>Band 3 and equivalent: £16,271</p> <p>Band 4 and equivalent: £18,838</p>	NQF 3 / Lower-skilled

	Health care support worker Nursing assistant Nursing auxiliary		[Source: NHS Agenda for Change 2014]	
6143 Dental nurses	Dental assistant Dental nurse Dental nurse-receptionist Dental surgery assistant	<ul style="list-style-type: none"> Registered dental nursing jobs that require registration with the General Dental Council (GDC) (Dental nurse is a protected title) 	<p>Band 3 and equivalent: £16,271</p> <p>Band 4 and equivalent: £18,838</p> <p>Band 5 and equivalent: £21,478</p> <p>Band 6 and equivalent: £25,783</p> <p>[Source: NHS Agenda for Change 2014]</p>	NQF 3 / Lower-skilled
6146 Senior care workers	Senior care assistant Senior carer Senior support worker (Local government: welfare services) Team leader (nursing home)	<ul style="list-style-type: none"> Skilled senior care worker jobs in England and Northern Ireland which include responsibility for supervising staff, and require a relevant NQF level 2 or equivalent qualification in care and two or more years relevant experience Skilled senior care worker jobs in Scotland which include responsibility for 	<p>All rates apply after deductions for accommodation, meals, etc. Any overtime must also be paid at least at these rates.</p> <p>New entrant: £12,000</p> <p>Experienced worker: £14,600</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled

		<p>supervising staff, and require a relevant Scottish Credit and Qualifications Framework level 6 or equivalent qualification in care and registration with the Scottish Social Services Council as a Supervisor</p> <ul style="list-style-type: none"> • Skilled senior care worker jobs in Wales which require a relevant NQF level 3 or equivalent qualification in care and registration with the Care Council for Wales as an Assistant Manager, Senior Care Worker, Senior Care Officer or Senior Care Assistant • Senior care worker jobs where the individual has (or previously had) leave as a work permit holder which was granted for them to do the job 		
8232 Marine and waterways transport operatives	<p>Engine room attendant (shipping)</p> <p>Engineer, nos (boat, barge)</p> <p>Ferryman</p> <p>Merchant</p>	<ul style="list-style-type: none"> • Merchant navy master • Merchant navy chief officer • Merchant navy 2nd officer • Merchant navy 3rd officer • Merchant navy chief engineer 	<p>New entrant: £20,800</p> <p>Experienced worker: £28,800</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled

	<p>seaman</p> <p>Seaman (shipping)</p>	<p>officer</p> <ul style="list-style-type: none"> • Merchant navy 2nd engineer officer • Merchant navy 3rd engineer officer • Merchant navy 4th engineer officer • Officer of the watch • Chief mate • Ship master 		
9119 Fishing and other elementary agriculture occupations not elsewhere classified	<p>Horticultural worker</p> <p>Labourer (landscape gardening)</p> <p>Mushroom picker</p> <p>Nursery worker</p>	<ul style="list-style-type: none"> • Sheep Shearers with a recognised qualification equivalent to British Wool Marketing Board (BWMB) Bronze, Silver or Gold Seal • Chick sexers (vent sexers) 	<p>New entrant: £12,800</p> <p>[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p> <p>Experienced worker: £14,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p>	NQF 3 / Lower-skilled
9273 Waiters and waitresses	<p>Head waiter</p> <p>Silver service waiter</p> <p>Steward (catering)</p> <p>Waiter</p> <p>Waitress</p>	<ul style="list-style-type: none"> • Head waiter or waitress, establishments with 80 or more covers (covers being the maximum number of customers that can be seated at any one time) • Sommelier 	<p>New entrant: £8,300</p> <p>[Source: Annual Survey of Hours and Earnings 2014]</p> <p>Experienced worker: £10,600</p> <p>[Source: Annual Survey of Hours and Earnings 2013 (no equivalent 2014 data available)]</p>	NQF 3 / Lower-skilled

”

424. In Appendix J, in Table 8, delete the row containing “3213 Paramedics” and substitute:

“

3213 Paramedics	NQF 4	3213 Paramedics	NQF 6
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”

425. In Appendix K, in Table 1, delete the rows containing “2112 Biological scientists and biochemists”, “2113 Physical scientists” and “2119 Natural and social science professionals not elsewhere classified”, and substitute:

“

2113 Physical scientists	<p>Only the following jobs in this occupation code:</p> <p>The following jobs in the construction-related ground engineering industry:</p> <ul style="list-style-type: none">• engineering geologist• hydrogeologist• geophysicist <p>The following jobs in the oil and gas industry:</p> <ul style="list-style-type: none">• geophysicist• geoscientist• geologist• geochemist• technical services manager in the decommissioning and waste areas of the nuclear industry• senior resource geologist and staff geologist in the mining sector
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”

426. In Appendix K, in Table 1, delete the row containing “2211 Medical practitioners” and substitute:

“

2211 Medical practitioners	<p>Only the following jobs in this occupation code:</p> <p>Consultants in the following specialities:</p> <ul style="list-style-type: none">• clinical radiology• emergency medicine• old age psychiatry
----------------------------	---

	<p>CT3 trainee and ST4 to ST7 trainee in emergency medicine</p> <p>Core trainee in psychiatry</p> <p>Non-consultant, non-training, medical staff posts in the following specialities:</p> <ul style="list-style-type: none"> • emergency medicine (including specialist doctors working in accident and emergency) • old age psychiatry • paediatrics
--	--

”

427. In Appendix K, in Table 1, delete the row containing “2217 Medical radiographers” and substitute:

“

2217 Medical radiographers	<p>Only the following jobs in this occupation code:</p> <ul style="list-style-type: none"> • HPC registered diagnostic radiographer • nuclear medicine practitioner • radiotherapy physics practitioner • radiotherapy physics scientist • sonographer <p>Sponsors must retain evidence of the individual's HPC registration and provide this to the Home Office on request. (Registration may need to be done after the individual has entered the United Kingdom but must be done before starting work).</p>
2219 Health professionals not elsewhere classified	<p>Only the following jobs in this occupation code:</p> <ul style="list-style-type: none"> • neurophysiology healthcare scientist • neurophysiology practitioner • nuclear medicine scientist
2229 Therapy professionals not elsewhere classified	<p>Only the following jobs in this occupation code:</p> <ul style="list-style-type: none"> • orthotist • prosthetist

”

428. In Appendix K, in Table 1, delete the row containing “2231 Nurses”.

429. In Appendix K, after the row containing “2314 Secondary education teaching professionals”, insert new row:

“

2425 Actuaries, economists and statisticians	<p>Only the following jobs in this occupation code:</p> <ul style="list-style-type: none"> • bio-informatician • informatician
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”

430. In Appendix K, in Table 1, after the row containing “3113 Engineering technicians”, insert new row:

“

3213 Paramedics	All jobs in this occupation code
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”

431. In Appendix K, in Table 1, delete the row containing “3218 Medical and dental technicians”.

432. In Appendix K, in Table 1, in the row containing “5215 Welding trades”, delete “the UK Border Agency” and substitute “the Home Office”.

433. In Appendix K, in Table 1, delete the row containing “5249 Line repairers and cable jointers” and substitute:

“

5249 Line repairers and cable jointers	<p>Only the following job in this occupation code:</p> <ul style="list-style-type: none"> • overhead linesworker at Linesman Erector 2 (LE2) level and above, where the pay is at least £32,000 per year
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”

434. In Appendix K, in Table 1, in the row containing “5434 Chefs”, delete “the UK Border Agency” and substitute “the Home Office”.

435. In Appendix K, delete Table 2 and substitute:

“Table 2 – Scotland-only Shortage Occupation List

Standard Occupational Classification (SOC) code and description	Job titles included on the Scotland only Shortage Occupation List and further criteria
All	All job titles and occupations on the United Kingdom Shortage Occupation List

2211 Medical practitioners	<p>Only the following jobs in this occupation code:</p> <ul style="list-style-type: none"> • jobs on the United Kingdom Shortage Occupation List • consultant in clinical oncology • non-consultant, non-training, medical staff post in clinical radiology • CT3 trainee and ST4 to ST7 trainee in clinical radiology • all grades except CPT1 in psychiatry • all grades in anaesthetics, paediatrics, obstetrics and gynaecology
2217 Medical radiographers	<p>Only the following jobs in this occupation code:</p> <ul style="list-style-type: none"> • jobs on the United Kingdom Shortage Occupation List • medical physicist • staff working in diagnostics radiology (including magnetic resonance imaging)
2231 Nurses	<p>Only the following jobs in this occupation code:</p> <ul style="list-style-type: none"> • specialist nurse working in neonatal intensive care units <p>Sponsors must retain evidence of the individual's provisional / full NMC registration and provide this to the Home Office on request.</p>

436. In Appendix KoLL, in paragraph 2.2(ii), after “Appendix O to these Rules” insert:

“and taken at a test centre approved by the Secretary of State as a Secure English Language Test centre.”

437. In Appendix KoLL, in paragraph 3.2 (a)(ii) delete “paragraph 198” and substitute “paragraph 199”.

438. In Appendix M, in the table, delete the row containing “Motorcycling (except speedway)” and substitute:

“

Motorcycling (except speedway)	Auto-Cycle Union	Tier 2 (Sportsperson) and Tier 5 (Temporary Worker – Creative and Sporting)
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”

439. In Appendix M, in the table, delete the row containing “Speedway” and substitute:

“

Speedway	British Speedway Promoters Association	Tier 2 (Sportsperson) and Tier 5 (Temporary Worker – Creative and Sporting)
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”

440. In Appendix N, delete the “BOND business internships” scheme, and substitute with the amended entry below:

“

BOND Business Internships	BOND is a training and work experience placement scheme, designed to facilitate work attachments with UK companies for overseas graduates/professionals who have a degree. BOND builds mutual links and connectivity between the UK and overseas partners in areas of industrial and technological innovation and cooperation, by giving UK host companies the opportunity to develop current overseas markets and explore new ones through project focussed work attachments for overseas professionals.	British Council	Work experience programme Maximum 12 months	All UK
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”

441. In Appendix N delete the “UK-India Education and Research Initiative” scheme.

442. In Appendix O, delete table following paragraph 2 and substitute:

“

	Tests taken within the UK				
English Language Test	SELT provider	Awarded by	Levels Covered by Test	Test Validity	Documents required with application

IELTS Life Skills	IELTS SELT Consortium	Cambridge English Language Assessments	A1 speaking and listening. B1 speaking and listening	2 years	For tests taken on or after 6 April 2015: no document required (scores will be verified using the IELTS SELT Consortium online system using a unique reference number which should be stated on the application form).
IELTS	IELTS SELT Consortium	Cambridge English Language Assessments	B1 B2 C1 C2	2 years	For tests taken on or after 6 April 2015: no document required (scores will be verified using the IELTS SELT Consortium online system using a unique reference number which should be stated on the application form).
Integrated Skills in English	Trinity College London	Trinity College London	A2 B1 B2 C1 C2	2 years	For tests taken on or after 6 April 2015: no document required (scores will be verified using the Trinity College, London online verification

					system using a unique reference number which should be stated on the application form).
Graded Examinations in Spoken English	Trinity College London	Trinity College London	A1 A2 B1	2 years	For tests taken on or after 6 April 2015: no document required (scores will be verified using the Trinity College, London online verification system using a unique reference number which should be stated on the application form).
Tests taken outside the UK					
English Language Test	SELT Provider	Awarded by	Levels Covered by Test	Test Validity	Documents required with application
IELTS Life Skills	IELTS SELT Consortium	Cambridge English Language Assessments	A1 speaking and listening. B1 speaking and listening	2 years	For tests taken on or after 6 April 2015: no document required (scores will be verified using the IELTS SELT Consortium online system using a unique reference number which should be stated on the application form).

IELTS	IELTS SELT Consortium	Cambridge English Language Assessments	B1 B2 C1 C2	2 years	For tests taken on or after 6 April 2015: no document required (scores will be verified using the IELTS SELT Consortium online system using a unique reference number which should be stated on the application form).
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”

443. Delete Appendix Q.

444. Delete Appendix R.

445. In Appendix T Part 1 – applicable countries, delete “Migrants applying to enter the UK for more than 6 months from the countries listed below, or who are applying in a category which may lead to them being settled in the United Kingdom in accordance with the definition of "settled in the United Kingdom" contained in paragraph 6 of the Immigration Rules” and insert

“Any person applying to enter the UK as described in paragraph A39, Part 1 General Provisions of the Immigration Rules”

446. In Appendix T Part 1 – applicable countries after “Zimbabwe” delete “Applicants from Burkina Faso, Côte d'Ivoire, Niger, Togo are screened in Ghana, those from Eritrea and Somalia are screened in Kenya, those in Lesotho and Swaziland are screened in South Africa and those from Laos are screened in Thailand.” and insert

“Applicants from Sao Tome and Principe are screened in Angola; those from Central African Republic, Chad and Gabon are screened in Cameroon; those from the People’s Democratic Republic of Korea are screened in Beijing; those from Congo are screened in Democratic Republic of Congo; those from Djibouti are screened in Ethiopia, those from Kiribati, Marshall Islands, Micronesia, Tuvalu and Vanuatu are screened in Fiji; those from Cape Verde, Guinea Bissau and Mali are screening in Gambia or Senegal; those from Burkina Faso, Equatorial Guinea, Liberia, Niger and Togo are screened in Ghana; those from Macau are screened in Hong Kong; those from Timor Leste are screened in Indonesia; those from Kyrgyzstan are screened in Kazakhstan; those from Eritrea, Somalia and South

Sudan are screened in Kenya; those from Mauritania are screened in Morocco; those from Benin are screened in Nigeria; those from Solomon Islands are screened in Papua New Guinea; those from Palau are screened in Philippines; those from Burundi are screened in Rwanda; those in Lesotho and Swaziland are screened in South Africa; those from Laos are screened in Thailand.”

447. In Appendix T Part 2 – delete all of part 2 of Appendix T and substitute

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Get tested in Gambia or Senegal

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Democratic People's Republic of Korea

Get tested in Beijing

Djibouti

Get tested in Ethiopia

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Equatorial Guinea

Get tested in Ghana

Ethiopia

International Organization for Migration (IOM)
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Erkata Building Behind Bole DH Geda Building
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251 116 611 128 (Ext 190)
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Gabon

Get tested in Ghana

Gambia

Fajara Booster Extension
Fajara,

The Gambia
Tel: (+220) 7468858/ 9900309/ 6566684/7874685/9972123
Email: estajones40@hotmail.com iombanjul@iom.int

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Georgia 0719
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Tel: (502) 23857865 / (502) 40218890
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Guinea

Get tested in Ghana

Guinea Bissau

Get tested in Gambia or Senegal

Guyana

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Email: ivarjoon@networksgy.com

Roger Viapree
Woodlands Hospital
110 Carmichael Street
North Cummingsburg
Tel: (592) 616 1534
Email: viper472000@yahoo.co.uk

Surendra Persaud
Caribbean Surgery Inc.
130-132 Parade Street
Kingston
Tel: (592) 227 4778
Email: surendrapersaud68@gmail.com

Dr. Ayra Devi Karyampudi/ Dr. Colin Roach
St. Joseph's Mercy Hospital
130/131 Parade Street Kingston
Georgetown
Tel: (592) 2254781
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Haiti

Dr Michel Theard
Centre de Prévention Médicale, 31, Ave Charles Summer
A cote d'OAVCT Port au Prince
Tel: (509) 2941-4545/ (509) 2946-4545
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Hong Kong/Macau

UMP Healthcare Group
15/F, 238 Nathan Road
Jordan

Kowloon
Tel: (+852) 395 08888
Email: umpjdmc@yahoo.co.hk

Quality Healthcare Medical Centre
8/F Wai Fung Plaza
664 Nathan Road
Mongkok Kowloon
Tel: (+852)83018301
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Quality Healthcare Medical Centre
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India

Andhra Pradesh

Centre For Migration Medicine (CMM)
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Email: Cmm.Uk@Migrationmedicine.Com

Gyd Diagnostics & Reference Laboratories Pvt Ltd 6-1-126 & 127/4,
Padmarao Nagar, (Lane Opposite Gharounda Supermarket)

Secunderabad, Andhra Pradesh, 500 025
Tel: (040) 42414142/ 43/ 44
Email: gydrllab@gmail.com

Bangalore

Elbit Medical Diagnostic Ltd
1 & ½ Indian Express Building Queens Road
Bangalore 560 001
Tel: (080) 40570000 / 41132461
E-mail: info@elbit.in

Fortis Hospital
154/9 Bannerghatta Road, Opp Iim-B
Bangalore -560076
Tel: (080) 66214166/66214444
Email: enquiries@fortishealthcare.com

Chandigarh

Kansal Clinic
Kothi No.4, Phase 2
Sector-54 Nr.Bassi Theatre
Sas Nagar, 160 047, Chandigarh
Tel: (0172) 2225124 / 2273587
Email: kansalclinic4@gmail.com

National Medical and Dialysis Centre 516
Sector 10 -D (Opposite Hotel Mountain View)
Chandigarh
Tel: +91 172 250 7433
Email: grandmetro@rediffmail.com

New Diagnostic Centre Sector 20c
Tribune Road, Chandigarh
Tel: 0091 172 2662949
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Max Super Special Speciality Hospital
New Civil Hospital,
Ph Iv, Mohali, Punjab 160055
Tel: (0172)-6652000/Mob: 08427661909
Email: contactusatmohali@maxhealthcare.com

Chennai

The Apollo Heart Centre
156 Greams Road
Chennai 600006
Tel: (044) 60601066 / 28296916/ Mob: 09551011666

Email: enquiry@apollohospitals.com

Gujarat

Apollo Hospitals International Ltd
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Saviour Hospital
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Email: contact@apollosurat.com

Guwahati

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Kerala

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Kolkata

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Pulse Diagnostics Pty Ltd
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National X-Ray Clinic
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Ludhiana

Dr Har Kamal Bagga/ Dr Wahiguru Pal Singh
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S.P.S Apollo Hospitals
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Super X-Ray Clinic

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Insight Health Scan
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Nagpur

Sanjiwani Chikitsa Kendra
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Sarda Imaging Clinic
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135-920
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Email: visainfo@yuhs.ac

Severance Hospital International Health Care Center
Yonsei University Medical Center
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People's Democratic Republic of Korea

Get tested in Beijing

Kyrgyzstan

Get tested in Kazakhstan

Liberia

Get tested in Ghana

Madagascar

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uktbm Madagascar@iom.int

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Opposite St. John's Catholic Secondary School
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Malaysia

Kota Kinabalu

Patient Relations Unit
Sabah Medical Centre (A Member of KPJ Healthcare Berhad)
Lorong Bersatu, Off Jalan Damai

Luyang, 88300 Kota Kinabalu
Tel: 088-322192 088-322196 Fax: 088-2700939
Email: prsmckk@smckk.kpjhealth.com.my

Kuala Lumpur

Health Screening Centre Gleneagles Hospital (Kuala Lumpur) Sdn. Bhd
282 and 286 Jalan Ampang
50450 Kuala Lumpur, Malaysia
Tel: +603-4141 3000
Fax: +603-4257 9233
Email: inquiry@gleneagleskl.com.my

Life Care Diagnostic Medical Centre Sdn. Bhd. 1st Floor
Wisma Life Care, No. 5, Jalan Kerinchi
Bangsar South, 59200 Kuala Lumpur
Customer Care Line: 1300 222 369
Email: info@lifecare.com.my

Kuching

Normah Medical Specialist Centre
937 Jalan Tun Datuk Patinggi
Haji Abdul Rahman Yaakub
Petra Jaya
93050 Kuching, Sarawak
Tel: +60 82-440055
inquiry@normah.com

Penang

Penang Adventist Hospital
465 Jalan Burma
10350 Penang
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Mali

Get tested in Gambia or Senegal

Marshall Islands

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Mauritania

Get tested in Morocco

Micronesia

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Bhrikuti Chowk, Damak-11
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Niger

Get tested in Ghana

Nigeria

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Pakistan

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International Organization For Migration (IOM)
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Palau

Get tested in the Philippines

Papua New Guinea

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Urbanización Marbella Calle 53. Piso 3.Cons 317
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Email: cersa317@hotmail.com lavs63@hotmail.com

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Hospital Nacional, Av. Cuba Calle 38 y 39
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Dra. Silvina Martinez
Peru 958 entre Teodoro Mongelos y Pettirossi
Asunción
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Philippines

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Metro Manila
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Fax: (632)883-9377
Email: IOMPhilippines@iom.int

Russian Federation

Moscow

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Federal Government Medical Hospital Centre
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Email: eAppointment@iom.int

St Petersburg

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Email: info@amclinic.ru

Novosibirsk

Clinico Diagnostic Health Centre
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Yekaterinburg

"Health 365"
83 Kuznetchnaya Street
Sverdlovsk Region Yekaterinburg
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Rwanda

(IOM) MHD clinic in Rwanda
Le Bon Samaritan Polyclinique
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Email: iomrwanda@iom.int

Sao Tome and Principe

Get tested in Angola

Senegal

IOM
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Sierra Leone

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Freetown
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Solomon Islands

Get tested in Papua New Guinea

South Africa

Cape Town

INTERCARE Medical and Dental Centre (Dr Bergman, Ross & Partners Radiologists)
1st Floor, Parow Shopping Centre
Corner of Voortrekker and De La Rey Roads
Parow 7500 Cape Town
Tel: 272 192 95500
Email: parow@intercare.co.za

Durban

ShipMed Inc.
Life Entabeni Hospital

Ear, Nose and Throat Centre
25 Glenwood Drive
Glenwood, Durban, 4001
Tel: +27 31 261 8291
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Pretoria

International Organization for Migration (IOM)
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454 Hilda Street,
Hatfield 0083, Pretoria
Tel: 271 236 23754
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South Sudan

Get tested in Kenya

Sri Lanka

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Suriname

Get tested in Guyana

Tajikistan

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Timor Leste

Get tested in Indonesia

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Uzbekistan

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HCMC

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Diagnostic Imaging Centre (DIC)
17 Lanark Road
Belgravia, Harare
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Email: dicxray@zol.co.zw

448. After Appendix T insert:

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APPENDIX V: IMMIGRATION RULES FOR VISITORS

Introduction

A visitor is a person who is coming to the UK, usually for up to six months, for a temporary purpose, for example as a tourist, to visit friends or family or to carry out a business activity.

Visitors cannot work or study in the UK unless this is allowed by the permitted activities that are set out in these Visitor Rules.

Each visitor must meet the requirements of these Visitor Rules, even if they are travelling as, for example, a family group, a tour group or a school party.

Applications are decided based on the information provided by the applicant and any other relevant circumstances at the date of decision.

Definitions of terms and phrases used in these Visitor Rules are in Appendix 1. Defined words are in italics.

PART VI. ENTRY TO THE UK

Types of permission to enter the UK

V 1.1 A person who wishes to enter the UK as a visitor must have permission to do so. That permission may be granted as a *visit visa* or as *leave to enter*.

Who needs a visit visa

V 1.2 A *visa national* must obtain a *visit visa* before they arrive in the UK. Appendix 2 sets out who is a *visa national*. A *visa national* who arrives in the UK without a *visit visa* will be refused *leave to enter*.

V 1.3 A *non-visa national* may apply for a *visit visa*, but is not required to unless they are:

- (a) visiting the UK to marry or to form a civil partnership, or to give notice of this; or
- (b) seeking to visit the UK for more than 6 months.

Who can apply for leave to enter on arrival

V 1.4 A *non-visa national* may apply for *leave to enter* as a visitor on arrival at the *UK border*, unless V 1.3 (a) or (b) applies.

Types and lengths of visit visa and leave to enter or remain

V 1.5 There are four types of visitor routes which depend on the purpose of the visit:

	Types of visit visa/Leave to enter or remain	Visitors of this type can:	The maximum length of stay that can be granted for each type of visitor:
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(a)	Visit (standard)	Do the permitted activities in Appendix 3 except visitors entering under the <i>Approved Destination Status</i> agreement who may only do the activities in paragraph 3 of Appendix 3 to these Rules;	up to 6 months, except: (i) a visitor who is coming to the UK for private medical treatment may be granted a <i>visit visa</i> of up to 11 months; or (ii) an academic, who is employed by an overseas institution and is carrying out the specific permitted activities in paragraph 12 of Appendix 3 of these Rules, along with their spouse or partner and children, may be granted a <i>visit visa</i> of up to 12 months; or (iii) a visitor under the Approved Destination Status Agreement (<i>ADS Agreement</i>) may be granted a <i>visit visa</i> for a period of up to 30 days.
(b)	Marriage / civil partnership visit	Visit to marry or to form a civil partnership, or to give notice of this, in the UK, and do the permitted activities in Appendix 3;	up to 6 months.
(c)	Permitted Paid Engagements (PPE) visit	Do the paid engagements in Appendix 4 and do the permitted activities in Appendix 3;	up to 1 month.
(d)	Transit visit	Transit the UK.	up to 48 hours, except for <i>leave to enter</i> as a transit visitor under the Transit Without Visa Scheme which may be granted until 23:59 hours on the next day after the day the applicant arrived.

V 1.6 Within the period for which the *visit visa* is valid, a visitor may enter and leave the UK multiple times, unless the *visit visa* is endorsed as a single- or dual-entry visa.

PART V2. MAKING AN APPLICATION FOR A VISIT VISA

How to apply for a visit visa

V 2.1 An application for a *visit visa* must be made while the applicant is outside the UK.

V 2.2 To apply for a *visit visa* the applicant must:

- (a) complete the online application process on the visas and immigration pages of the gov.uk website; and
- (b) pay any *fee* that applies; and
- (c) provide their *biometrics* if required; and
- (d) provide a valid *travel document*.

Where the online application process is not available, the applicant must follow the instructions provided by the local *visa post* or *application centre* on how to make an application.

Date of application

- V 2.3 An application for a *visit visa* is made on the date on which the *fee* is paid.
- V 2.4 Where a *fee* is not required, the date of application is the date on which the application is submitted online.
- V 2.5 Where a *fee* is not required and an online application is not available, the date of application is the date on which the paper application form is received by the relevant *visa post* or *application centre*.

Withdrawing an application and return of a travel document

- V 2.6 An applicant may withdraw their application at any time before a decision is made on it. The request must be made in writing or email to the *visa post* or *application centre* where the application was submitted. When notice of withdrawal is received no decision will be made on the application and the applicant's *travel document* and any other documents will be returned. The *fee* will not be refunded.
- V 2.7 A request from an applicant for the return of their *travel document* after an application has been submitted must be made in writing or email to the *visa post* or *application centre* where the application was submitted. It will be treated as a notice of withdrawal of the application, unless the *visa post* states otherwise.

PART V3. SUITABILITY REQUIREMENTS FOR ALL VISITORS

- V 3.1 This Part applies to all applications for *visit visas*, *leave to enter*, and *an extension of stay* as a visitor except where explicitly stated otherwise.

Not conducive to the public good: exclusion and deportation

- V 3.2 An application will be refused if:
- (a) the Secretary of State has personally directed that the applicant's exclusion from the UK is conducive to the public good; or
 - (b) the applicant is currently the subject of a deportation order or a decision to make a deportation order.
- V 3.3 An application will be refused if the *decision maker* believes that exclusion of the applicant from the UK is conducive to the public good because, for example, the applicant's conduct (including convictions which do not fall within paragraph V 3.4), character, associations, or other reasons, make it undesirable to grant their application.

Not conducive to the public good: criminal convictions, etc.

- V 3.4 An application (except for an application for an *extension of stay* as a visitor) will be refused if the applicant has been *convicted of a criminal offence* for which they have been sentenced to a *period of imprisonment* of:
- (a) at least 4 years; or
 - (b) between 12 months and 4 years, unless at least 10 years have passed since the *end of the sentence*; or

- (c) less than 12 months, unless at least 5 years has passed since the *end of the sentence*.

Where this paragraph applies, it will only be in exceptional circumstances that the public interest in maintaining refusal will be outweighed by compelling factors.

- V 3.5 An application will normally be refused if:
- (a) within the period of 12 months before the application is decided, the applicant has been *convicted* of or admitted an *offence* for which they received a *non-custodial sentence* or *out of court disposal* that is recorded on their criminal record (except for an application for *an extension of stay as a visitor*); or
 - (b) in the view of the Secretary of State the applicant's offending has caused serious harm; or
 - (c) in the view of the Secretary of State the applicant is a persistent offender who shows a particular disregard for the law.

False information in relation to an application

- V 3.6 An applicant will be refused where:
- (a) false representations have been made or false documents or information have been submitted (whether or not material to the application, and whether or not to the applicant's knowledge); or
 - (b) material facts have not been disclosed,
- in relation to their application or in order to obtain documents from the Secretary of State or a third party provided in support of their application.

Breaches of UK immigration laws

- V 3.7 An applicant will be refused:
- (a) if the applicant previously breached UK immigration laws as described at V 3.9; and
 - (b) if the applicant is outside the UK, the application is made within the relevant re-entry ban time period in V 3.10 (which time period is relevant will depend on the manner in which the applicant left the UK).

V 3.8 If the application has previously breached UK immigration laws but is outside the relevant re-entry ban time period the application will normally be refused if there are other aggravating circumstances, such as a failure to cooperate with immigration control or enforcement processes. This applies even where the applicant has *overstayed* for 90 days or less and left voluntarily and not at *public expense*.

- V 3.9 An applicant, when aged 18 years or over, breached the UK's immigration laws:
- (a) by *overstaying* (except where this was for 90 days or less and they left the UK voluntarily and not at *public expense*); or
 - (b) by breaching a *condition* attached to their leave; or
 - (c) by being an *illegal entrant*; or
 - (d) if *deception* was used in relation to an application or documents used in support of an application (whether successful or not).

V 3.10 The duration of a re-entry ban is as follows:

Duration of re-entry ban from date they left the UK (or date of refusal of entry clearance under paragraph f)	This applies where the applicant	and	and
(a) 12 months	left voluntarily	at their own expense.	-
(b) 2 years	left voluntarily	at <i>public expense</i>	Within 6 months of being given notice of <i>liability for removal</i> or when they no longer had a <i>pending appeal</i> or administrative review, whichever is later.
(c) 5 years	left voluntarily	at <i>public expense</i> ,	more than 6 months after being given notice of <i>liability for removal</i> or when they no longer had a <i>pending appeal</i> or administrative review, whichever is later.
(d) 5 years	left or was removed from the UK	as a condition of a caution issued in accordance with section 22 of the Criminal Justice Act 2003 (and providing that any condition prohibiting their return to the UK has itself expired)	-
(e) 10 years	was removed from the UK	at <i>public expense</i>	-
(f) 10 years	used <i>deception</i> in an application for entry clearance (including a <i>visit visa</i>).	-	-

V 3.11 Where more than one breach of the UK's immigration laws has occurred, only the breach which leads to the longest period of absence from the UK will be relevant.

Failure to produce satisfactory identity documents or provide other information

V 3.12 An applicant will be refused where the applicant:

- (a) fails to produce a valid *travel document* that satisfies the *decision maker* as to their identity and nationality.
- (b) fails without reasonable excuse to comply with a requirement to:
 - (i) attend an interview; or
 - (ii) provide information; or
 - (iii) provide *biometrics*; or
 - (iv) undergo a medical examination or provide a medical report.

Medical

V 3.13 An applicant will normally be refused where, on the advice of the *medical inspector*, it is undesirable to grant the *application for* medical reasons.

Debt to the NHS

V 3.14 An applicant will normally be refused where a *relevant NHS body* has notified the Secretary of State that the applicant has failed to pay charges under *relevant NHS regulations* on charges to overseas visitors and the outstanding charges have a total value of at least £1000.

Admission to the Common Travel Area or other countries

V 3.15 An applicant will be refused where they are seeking entry to the UK with the intention of entering another part of the *Common Travel Area*, and fails to satisfy the *decision maker* that they are acceptable to the immigration authorities there.

V 3.16 An applicant will normally be refused where they fail to satisfy the *decision maker* that they will be admitted to another country after a stay in the UK.

PART V4. ELIGIBILITY REQUIREMENTS FOR VISITORS (STANDARD)

- V 4.1 The *decision maker* must be satisfied that the applicant meets all of the eligibility requirements in paragraphs V 4.2 – V 4.10. The *decision maker* must be satisfied that the applicant meets any additional eligibility requirements, where the applicant:
- (a) is a *child* at the date of application, they must also meet the additional requirements at V 4.11 – V 4.13; or
 - (b) is coming to the UK to receive *private medical treatment*, they must also meet the additional requirements at V 4.14 – V 4.16; or
 - (c) is coming to the UK as an organ donor, they must also meet the additional requirements at V 4.17 – V 4.20; or
 - (e) is coming to the UK under the *ADS agreement*, they must also meet the additional requirements at V 4.21; or
 - (f) is an academic seeking a 12 month *visit visa*, they must also meet the additional requirements at V 4.22.

Genuine intention to visit

V 4.2 The applicant must satisfy the *decision maker* that they are a genuine visitor. This means that the applicant:

- (a) will leave the UK at the end of their visit; and
- (b) will not live in the UK for extended periods through frequent or successive visits, or make the UK their main home; and
- (c) is genuinely seeking entry for a purpose that is permitted by the visitor routes (these are listed in Appendices 3, 4 and 5); and
- (d) will not undertake any prohibited activities set out in V 4.5 – V 4.10; and
- (e) must have sufficient funds to cover all reasonable costs in relation to their visit without working or accessing *public funds*. This includes the cost of the return or onward journey, any costs relating to dependants, and the cost of planned activities such as *private medical treatment*.

Funds, maintenance and accommodation provided by a third party

V 4.3 A visitor’s travel, maintenance and accommodation may be provided by a third party where the *decision maker* is satisfied that they:

- (a) have a genuine professional or personal relationship with the visitor; and
- (b) are legally present in the UK, or will be at the time of the visitor’s entry to the UK; and
- (c) can and will provide support to the visitor for the intended duration of their stay.

V 4.4 The third party may be asked to give an undertaking in writing to be responsible for the applicant’s maintenance and accommodation. In this case paragraph 35 of Part 1 of these Rules applies also to Visitors. An applicant will normally be refused where, having been requested to do so, the applicant fails to provide a valid written undertaking from a third party to be responsible for their maintenance and accommodation for the period of any visit.

Prohibited activities

Work

V 4.5 The applicant must not intend to work in the UK, which includes the following:

- (a) taking employment in the UK;
 - (b) doing work for an organisation or business in the UK;
 - (c) establishing or running a business as a self-employed person;
 - (d) doing a work placement or internship;
 - (e) direct selling to the public;
 - (f) providing goods and services;
- unless expressly allowed by the permitted activities in Appendices 3, 4 or 5.

V 4.6 Permitted activities must not amount to the applicant taking employment, or doing work which amounts to them filling a role or providing short-term cover for a role within a UK based organisation. In addition, where the applicant is already paid and employed outside of the UK, they must remain so. Payment may only be allowed in specific circumstances set out in V 4.7.

Payment

V 4.7 The applicant must not receive payment from a UK source for any activities undertaken in the UK, except for the following:

- (a) reasonable expenses to cover the cost of their travel and subsistence, including fees for directors attending board-level meetings; or

- (b) prize money; or
- (c) billing a UK client for their time in the UK, where the applicant's overseas employer is contracted to provide services to a UK company, and the majority of the contract work is carried out overseas. Payment must be lower than the amount of the applicant's salary; or
- (d) multi-national companies who, for administrative reasons, handle payment of their employees' salaries from the UK; or
- (e) where the applicant is engaged in Permitted Paid Engagements (PPE) as listed at Appendix 4, provided the applicant holds a visa or *leave to enter* as a PPE visitor; or
- (f) paid performances at a permit free festival as listed in Appendix 5.

Study

- V 4.8 The applicant must not intend to study in the UK, except where they are undertaking a maximum of 30 days incidental study as permitted by Appendix 3.

Medical

- V 4.9 The applicant must not intend to access medical treatment other than *private medical treatment* or to donate an organ (for either of these activities they must meet the relevant additional requirements).

Marriage or civil partnership

- V 4.10 The applicant must not intend to marry or form a civil partnership, or to give notice of this, in the UK, except where they have a *visit visa* endorsed for marriage or civil partnership.

Additional eligibility requirements for children

- V 4.11 Adequate arrangements must have been made for their travel to, reception and care in the UK.
- V 4.12 If the applicant is not applying or travelling with a *parent* or *guardian* based in their home country or country of ordinary residence who is responsible for their care; that *parent* or *guardian* must confirm that they consent to the arrangements for the *child's* travel to, and reception and care in the UK. Where requested, this consent must be given in writing.
- V 4.13 A *child* who holds a *visit visa* must either:
- (a) hold a valid *visit visa* that states they are accompanied and will be travelling with an adult identified on that *visit visa*; or
 - (b) hold a *visit visa* which states they are unaccompanied;
- if neither applies, the child may be refused entry unless they meet the requirements of V 4.12.

Additional eligibility requirements for visitors coming to the UK to receive private medical treatment

- V 4.14 If the applicant is suffering from a communicable disease, they must have satisfied the *medical inspector* that they are not a danger to public health.

- V 4.15 The applicant must have arranged their *private medical treatment* before they travel to the UK, and must provide a letter from their doctor or consultant detailing:
- (a) the medical condition requiring consultation or treatment; and
 - (b) the estimated costs and likely duration of any treatment which must be of a finite duration; and
 - (c) where the consultation or treatment will take place.
- V 4.16 If the applicant is applying for an 11 month *visit visa* for the purposes of *private medical treatment* they must also:
- (a) provide evidence from their medical practitioner in the UK that the proposed treatment is likely to exceed 6 months but not more than 11 months; and
 - (b) if required under paragraph A39 and Appendix T Part 1 of these Rules, provide a valid medical certificate issued by a medical practitioner listed in Appendix T Part 2 of these Rules confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in the applicant.

Additional eligibility requirements for visitors coming to the UK to donate an organ

- V 4.17 An applicant must satisfy the *decision maker* that they genuinely intend to donate an organ, or be assessed as a potential organ donor, to an identified recipient in the UK with whom they have a genetic or close personal relationship.
- V 4.18 The applicant must provide written confirmation of medical tests to show that they are a donor match to the identified recipient, or that they are undergoing further tests to be assessed as a potential donor to the identified recipient.
- V 4.19 The applicant must provide a letter, dated no more than three months prior to the applicant's intended date of arrival in the UK from either:
- (a) the lead nurse or coordinator of the UK's NHS Trust's Living Donor kidney Transplant team; or
 - (b) a UK registered medical practitioner who holds an NHS consultant post or who appears in the Specialist Register of the General Medical Council; which confirms that the visitor meets the requirements in V 4.17 and V 4.18 and confirms when and where the planned organ transplant or medical tests will take place.
- V 4.20 The applicant must be able to demonstrate, if required to do so, that the identified recipient is legally present in the United Kingdom or will be at the time of the planned organ transplant.

Additional eligibility requirements for visitors coming under the ADS agreement

- V 4.21 An applicant under the Approved Destination Status (ADS) Agreement with China must:
- (a) be a national of the People's Republic of China; and
 - (b) intend to enter, leave and travel within the UK as a member of a tourist group under the *ADS agreement*.

Additional eligibility requirements for academics

- V 4.22 An academic applying for a 12 month *visit visa* (standard) must:
- (a) be highly qualified within their own field of expertise; and
 - (b) currently working in that field at an academic institution or institution of higher education overseas; and
 - (c) if required under paragraph A39 and Appendix T Part 1 of these Rules, provide a valid medical certificate issued by a medical practitioner listed in Appendix T Part 2 of these Rules confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in the applicant

Conditions

- V 4.23 *Visit visas, leave to enter* or an *extension of stay* as a visitor will be subject to the following *conditions*:
- (a) no recourse to *public funds*; and
 - (b) no study (which does not prohibit the incidental study allowed by the permitted activities at Appendix 3); and
 - (c) no work (which does not prohibit the permitted activities in Appendix 3, 4 or 5 as set out in V1.5).

PART V5. ELIGIBILITY REQUIREMENTS FOR A PPE VISITOR

- V 5.1 An applicant for permitted paid engagements must satisfy the *decision maker* that they meet the requirements at V 4.2 - V 4.10.

Additional eligibility requirements for a permitted paid engagements visit visa or leave to enter

- V 5.2 An applicant must intend to do one (or more) of the permitted paid engagements set out in Appendix 4 to these Rules, which must:
- (a) be arranged before the applicant travels to the UK; and
 - (b) be declared as part of the application for a *visit visa* or *leave to enter*; and
 - (c) be evidenced by a formal invitation, as required by Appendix 4; and
 - (d) relate to the applicant's area of expertise and occupation overseas.

- V 5.3 An applicant must not be a *child*.

PART V6. ELIGIBILITY REQUIREMENTS FOR A MARRIAGE OR CIVIL PARTNERSHIP VISIT VISA

- V 6.1 An applicant for a marriage or civil partnership *visit visa* must satisfy the *decision maker* that they meet the requirements at V 4.2 - V 4.10 and must be aged 18 or over.
- V 6.2 On arrival in the UK a visitor coming to marry or form a civil partnership, or give notice of this, in the UK must have a valid *visit visa* endorsed with this purpose and the name of the holder's fiancé(e) or proposed civil partner.

Additional eligibility requirements for a marriage or civil partnership visit visa

- V 6.3 An applicant seeking to come to the UK as a visitor who wishes to give notice of marriage or civil partnership, or marry or form a civil partnership, in the UK during that visit must satisfy the *decision maker* that they:
- (a) intend to give notice of marriage or civil partnership; or
 - (b) intend to marry or form a civil partnership; and
 - (c) do not intend to give notice of or enter into a *sham marriage* or *sham civil partnership*,
- within the validity period covered by their *visit visa*.

PART V7. TRANSIT VISITOR

Transit visitor

- V 7.1 A transit visitor is a person who seeks to travel via the UK en route to another destination country outside the *common travel area*.
- V 7.2 Individuals seeking to transit the UK without passing through the *UK border* may need a Direct Airside Transit Visa. These are provided for by the Immigration (Passenger Transit Visa) Order 2014 (as amended).
- V 7.3 This Part does not apply to crew members who are employed in the working or service of their ship, aircraft, hovercraft, hydrofoil or train who fall under section 8(1) of the Immigration Act 1971.
- V 7.4 A visa national must either hold a transit *visit visa* or, if they meet the requirements for admission under the transit without visa scheme in V 7.6 – V 7.8, they may seek *leave to enter* at the *UK border*.

Eligibility requirements for a transit visa or leave to enter for transit

- V 7.5 An applicant must satisfy the *decision maker* that they:
- (a) are genuinely in transit to another country outside the *common travel area*, meaning the main purpose of their visit is to transit the UK and that the applicant is taking a reasonable transit route; and
 - (b) will not access *public funds* or medical treatment, work or study in the UK; and
 - (c) genuinely intend and are able to leave the UK by 23:59 hours on the day after the day when they arrived or within 48 hours after their arrival where they hold a transit visit visa; and
 - (d) are assured entry to their country of destination and any other countries they are transiting on their way there.

Transit Without Visa Scheme

- V 7.6 To be granted *leave to enter* under the transit without visa scheme a *visa national* must meet all the requirements at V 7.7 and one of the requirements at V 7.8.

- V 7.7 The applicant must:
- (a) have arrived by air and will be departing by air; and
 - (b) be genuinely in transit to another country, meaning the purpose of their visit is to transit the UK and that the applicant is taking a reasonable transit route; and
 - (c) will not access *public funds* or medical treatment, work or study in the UK; and
 - (d) genuinely intend and be able to leave the UK before 23:59 hours on the day after the day when they arrived; and
 - (e) have a confirmed booking on a flight departing the UK before 23:59 hours on the day after the day when they arrived; and
 - (f) be assured entry to their country of destination and any other countries they are transiting through on their way there.

- V 7.8 The applicant must also:
- (a) be travelling to or from (or on part of a reasonable journey to or from) Australia, Canada, New Zealand or the USA and have a valid visa for that country; or
 - (b) be travelling from (or on part of a reasonable journey from) Australia, Canada, New Zealand or the USA and it is less than 6 months since he last entered that country with a valid entry visa; or
 - (c) hold a valid permanent residence permit issued by either:
 - (i) Australia;
 - (ii) Canada, issued after 28 June 2002;
 - (iii) New Zealand; or
 - (d) hold a valid USA I-551 permanent resident card issued on or after 21 April 1998; or
 - (e) hold a valid USA I-551 temporary immigrant visa (a wet-ink stamp version will not be accepted); or
 - (f) hold an expired USA I-551 permanent resident card issued on or after 21 April 1998, provided it is accompanied by a valid I-797 letter authorising extension of the period of permanent residency; or
 - (g) hold a valid standalone US immigration form 155A/155B attached to a sealed brown envelope; or
 - (h) hold a valid common format residence permit issued by an EEA state (pursuant to Council Regulation (EC) No. 1030/2002) or Switzerland; or

- (i) hold a valid uniform format category D visa for entry to a state in the European Economic Area (EEA) or Switzerland; or
- (j) be travelling on to the Republic of Ireland and have a valid Irish biometric visa; or
- (k) be travelling from the Republic of Ireland it is less than three months since the applicant was last given permission to land or be in the Republic by the Irish authorities with a valid Irish biometric visa.

V7.9 Electronic versions of any documents listed in paragraph V7.8, such as electronic visas (including printed versions), will not be accepted.

PART V8. EXTENSION OF STAY AS A VISITOR

Who can apply for an extension of stay as a visitor

V 8.1 It is not possible to switch to become a visitor while in the UK where a person is in the UK in breach of immigration laws or has entry clearance or *leave to enter* or remain for another purpose.

Making an application for an extension of stay as a visitor in the UK

V 8.2 An application for an *extension of stay* as a visitor must comply with the requirements in paragraphs A34 – 34D of Part 1 of these Rules.

Eligibility requirements for an extension of stay in the UK as a visitor

V 8.3 The applicant must be in the UK as a visitor. Visitors for permitted paid engagements and transit visitors may not apply for an *extension of stay* as a visitor.

V 8.4 An application for an *extension of stay* as a visitor must satisfy the *decision maker* that they continue to meet all the suitability and eligibility requirements for a *visit visa*.

V 8.5 The applicant must not be in the UK in breach of immigration laws, except for any period of *overstaying* of 28 days or less which will be discounted.

V 8.6 If the applicant is applying for an *extension of stay* as a visitor for the purpose of receiving *private medical treatment* they must also satisfy the *decision maker* they:

- (a) have met the costs of any medical treatment received so far; and
- (b) provide a letter from a registered medical practitioner, at a private practice or NHS hospital, who holds an NHS consultant post or who appears in the Specialist Register of the General Medical Council, detailing the medical condition requiring further treatment.

How long can a visitor extend their stay in the UK

- V 8.7 A visitor (standard) and a visitor for marriage or civil partnership, who was granted a *visit visa* or *leave to enter* for less than 6 months may be granted an *extension of stay* as a visitor so that the total period they can remain in the UK (including both the original grant and the *extension of stay*) does not exceed 6 months.
- V 8.8 A visitor (standard) who is in the UK for *private medical treatment* may be granted an *extension of stay* as a visitor for a further 6 months, provided this is for *private medical treatment*.
- V 8.9 A visitor (standard) who is an academic on sabbatical leave and is in the UK undertaking their own research, or the spouse, partner or *child* accompanying such an academic, can be granted an *extension of stay* as a visitor so that the total period they can remain in the UK (including both the original grant and the *extension of stay*) does not exceed 12 months.
- V 8.10 A visitor (standard) may be granted an *extension of stay* as a visitor for up to 6 months in order to resit the Professional and Linguistic Assessment Board (PLAB) Test, provided they meet the requirements at Appendix 3, paragraph 22(b)(i).
- V 8.11 A visitor (standard) who is successful in the Professional and Linguistic Assessment Board Test may be granted an *extension of stay* as a visitor to undertake a clinical attachment, provided they meet the requirements of Appendix 3, paragraph 22(a) so that the total period they can remain in the UK (including both the original grant and the *extension of stay*) does not exceed 18 months.

PART V9. GROUNDS FOR CANCELLATION OF A VISIT VISA OR LEAVE BEFORE OR ON ARRIVAL AT THE UK BORDER AND CURTAILMENT OF LEAVE

Cancellation of a visit visa or leave to enter or remain as a visitor on or before arrival at the UK border

- V 9.1 A current *visit visa* or *leave to enter* or remain as a visitor may be cancelled whilst the person is outside the UK or on arrival in the UK, if any of paragraphs V 9.2 – V 9.7 apply.

Change of circumstances

- V 9.2 Where there has been such a change in the circumstances of the case since the *visit visa* or *leave to enter* or *remain* was granted that the basis of the visitor's claim to admission or stay has been removed and the visa or leave should be cancelled.

Change of purpose

- V 9.3 Where the visitor holds a *visit visa* and their purpose in arriving in the United Kingdom is different from the purpose specified in the *visit visa*.

False information or failure to disclose a material fact

- V 9.4 Where:
- (a) false representations were made or false documents or information submitted (whether or not material to the application, and whether or not to the applicant's knowledge); or

(b) material facts were not disclosed, in relation to the application for a *visit visa* or *leave to enter* or remain as a visitor, or in order to obtain documents from the Secretary of State or a third party provided in support of their application.

Medical

V 9.5 Where it is undesirable to admit the visitor to the UK for medical reasons, unless there are strong compassionate reasons justifying admission.

Not conducive to the public good

V 9.6 Where the criteria in V 3.2 - V 3.5. apply.

Failure to supply information

V 9.7 Where the person is outside the UK and there is a failure to supply any information, documents, or medical reports requested by a *decision maker*.

Curtailment

V 9.8 A *visit visa* or *leave to enter* or remain as a visitor may be curtailed while the person is in the UK if any of paragraphs V 9.9 – V 9.13 apply.

False information or failure to disclose a material fact

V 9.9 Where:

- (a) false representations were made or false documents or information were submitted (whether or not material to the application, and whether or not to the applicant's knowledge); or
- (b) material facts were not disclosed, in relation to any application for an entry clearance or *leave to enter* or remain, or for the purpose of obtaining a document from the Secretary of State or third party required in support of the application, or a document from the Secretary of State that indicates the person has a right to reside in the UK.

Requirements of the Rules

V 9.10 If the visitor ceases to meet the requirements of the Visitor Rules.

Failure to comply with conditions

V 9.11 If the visitor fails to comply with any *conditions* of their *leave to enter* or remain.

Not conducive to the public good

V 9.12 Where either:

- (a) the visitor has, within the first 6 months of being granted a *visit visa* or *leave to enter*, committed an offence for which they are subsequently sentenced to a *period of imprisonment*; or
- (b) in the view of the Secretary of State the applicant's offending has caused serious harm; or
- (c) in the view of the Secretary of State the applicant is a persistent offender who shows a particular disregard for the law; or

- (d) it would be undesirable to permit the visitor to remain in the UK in light of their conduct, character, associations, or the fact that they represent a threat to national security.

APPENDICES TO THE IMMIGRATION RULES FOR VISITORS

VISITORS APPENDIX 1. DEFINITIONS AND INTERPRETATIONS

1 For the purposes of these Visitor Rules the following definitions and interpretations apply:

accredited institution	in relation to permitted study, this means an institution which is: (a) the holder of a Tier 4 sponsor licence; or (b) the holder of valid accreditation from Accreditation UK, the Accreditation Body for Language Services (ABLS), the British Accreditation Council (BAC), or the Accreditation Service for International Colleges (ASIC); or (c) the holder of a valid and satisfactory full institutional inspection, review or audit by the Bridge Schools Inspectorate, Estyn, Education Scotland, the Independent Schools Inspectorate, Office for Standards in Education, the Quality Assurance Agency for Higher Education, the Schools Inspection Service or the Education and Training Inspectorate Northern Ireland; or (d) an overseas higher education institution offering only part of its programmes in the UK, holding its own national accreditation and offering programmes that are an equivalent level to a UK degree.
ADS Agreement	means the Memorandum of Understanding on visa and related issues concerning tourist groups from the People's Republic of China to the United Kingdom as a approved destination, signed on 21 January 2005.
application centre	means a commercial partner who has been authorised by the Secretary of State to accept entry clearance applications or British Diplomatic Mission or Consular Post overseas where entry clearance applications can be made.
biometrics	has the same meaning as in section 15 of the UK Borders Act, for example, fingerprints.
child	means a person under the age of 18 years.
Common Travel Area	the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland collectively form the common travel area.
condition	means any condition of leave to enter or remain under section 3(1) (c) of the Immigration Act 1971, such as a prohibition on employment or study.
control zone	means a control zone for the time being as defined by article 2(1) of, and Schedule 1 to, the Channel Tunnel (International Arrangements) Order 1993 (SI 1993/1813) and article 2 of the

Nationality Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003 (SI 2003/2818).

convicted of a criminal offence	means a conviction for a criminal offence in the UK or any other country providing that where the offence was committed and the person was convicted outside the UK, the offence would, if it was committed in the UK (or any part of the UK) also constitute a criminal offence in the UK.
deception	means making false representations or submitting false documents or information (whether or not material to the application), or failing to disclose material facts.
decision maker	means an entry clearance officer, immigration officer or the Secretary of State as the case may be.
end of the sentence	means the end of the sentence imposed whether or not all of it has been served in prison.
extension of stay	means leave to remain as a visitor granted under the Immigration Act 1971.
fee	means any fee payable under regulations made in exercise of the powers conferred by sections 68 and 69 of the Immigration Act 2014.
guardian	means a person appointed according to local laws to take care of a <i>child</i> .
illegal entrant	has the same meaning as in section 33(1) of the Immigration Act 1971.
leave to enter	has the same meaning as in section 3 of the Immigration Act 1971.
medical inspector	means a medical inspector appointed under Schedule 2 to the Immigration Act 1971.
non-custodial sentence	means a sentence other than a sentence of imprisonment.
non-visa national	means a person who does not require a visit visa under Appendix 2 to these Visitor Rules.
notice of liability for removal	has the same meaning as in paragraph 6 of these Rules
out of court disposal	means a penalty imposed for an offence without prosecution, e.g. a caution.
overstayed or overstaying	means the applicant has stayed in the UK beyond the time limit attached to the last period of leave granted (including any

extension of that leave , or under sections 3C or 3D of the Immigration Act 1971).

parent	includes (a) the stepfather of a <i>child</i> whose father is dead and the reference to stepfather includes a relationship arising through civil partnership; (b) the stepmother of a <i>child</i> whose mother is dead and the reference to stepmother includes a relationship arising through civil partnership and; (c) the father as well as the mother of an illegitimate <i>child</i> where he is proved to be the father; (d) an adoptive parent, where a <i>child</i> was adopted in accordance with a decision taken by the competent administrative authority or court in a country whose adoption orders are recognised by the UK or where a <i>child</i> is the subject of a de facto adoption in accordance with the requirements of paragraph 309A of these Rules.
pending appeal	has the same meaning as in section 104 of the Nationality, Immigration and Asylum Act 2002.
period of imprisonment	means a period of imprisonment in the UK or outside the UK (subject to the matters mentioned in section 38(2) of the UK Borders Act 2007).
private medical treatment	means treatment provided by a private health provider, or by the NHS where there is a reciprocal arrangement in place with another country by which certain nationals may receive NHS treatment.
public expense	in relation to a person's departure from the UK, means directly or indirectly at the expense of the Secretary of State.
public funds	means (a) housing under Part VI or VII of the Housing Act 1996 and under Part II of the Housing Act 1985, Part I or II of the Housing (Scotland) Act 1987, Part II of the Housing (Northern Ireland) Order 1981 or Part II of the Housing (Northern Ireland) Order 1988; (b) attendance allowance, severe disablement allowance, carer's allowance and disability living allowance under Part III of the Social Security Contribution and Benefits Act 1992;, income support, council tax benefit and housing benefit under Part VII of that Act; a social fund payment under Part VIII of that Act; child benefit under Part IX of that Act; income based jobseeker's allowance under the Jobseekers Act 1995, income related allowance under Part 1 of the Welfare Reform Act 2007 (employment and support allowance) state pension credit under the State Pension Credit Act 2002; or child tax credit and working tax credit under Part 1 of the Tax Credits Act 2002;

(c) attendance allowance, severe disablement allowance, carer's allowance and disability living allowance under Part III of the Social Security Contribution and Benefits (Northern Ireland) Act 1992;; income support, council tax benefit and, housing benefit under Part VII of that Act; a social fund payment under Part VIII of that Act; child benefit under Part IX of that Act; income based jobseeker's allowance under the Jobseekers (Northern Ireland) Order 1995 or income related allowance under Part 1 of the Welfare Reform Act (Northern Ireland) 2007;

(d) Universal Credit under Part 1 of the Welfare Reform Act 2012 or Personal Independence Payment under Part 4 of that Act;

(e) Universal Credit, Personal Independence Payment or any domestic rate relief under the Northern Ireland Welfare Reform Act 2013;

(f) a council tax reduction under a council tax reduction scheme made under section 13A of the Local Government Finance Act 1992 in relation to England or Wales or a council tax reduction pursuant to the Council Tax Reduction (Scotland) Regulations 2012 or the Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012.

Paragraphs (6A), (6B) and (6C) of the Immigration Rules also apply.

recreational course

means a course undertaken purely for leisure purposes, for example, pottery or horse riding.

relevant NHS body

means

a) in relation to England-

(i) a National Health Service Trust established under section 25 of the National Health Service Act 2006,

(ii) a NHS foundation trust.

b) in relation to Wales-

(i) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006,

(ii) a National Health Service Trust established under section 18 of the National Health Service (Wales) Act 2006,

(iii) a Special Health Authority established under 22 of the National Health Service (Wales) Act 2006.

c) in relation to Scotland-

(i) a Health Board or Special Health Board established under section 2 of the National Health Service (Scotland) Act 1978 (c. 29),

(ii) the Common Services Agency for the Scottish Health Service established under section 10 of that Act,

(iii) Healthcare Improvement Scotland established under section 10A of that Act.

d) in relation to Northern Ireland-

(i) the Regional Health and Social Care Board established under the Health and Social Care (Reform) Act (Northern Ireland) 2009,

(ii) a Health and Social Care trust established under the Health and

Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)) and renamed under the Health and Social Care (Reform) Act (Northern Ireland) 2009.

relevant NHS regulations	means (i) The National Health Service (Charges to Overseas Visitors) (Amendment) (Wales) Regulations 2004 (2004 No 1433); (ii) The National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989 as amended (1989 No 364); (iii) The Health and Personal Social Services (Provision of Health Services to Persons not Ordinarily Resident) Regulations (Northern Ireland) 2005 (2005 No 551); or (iv) The National Health Service (Charges to Overseas Visitors) Regulations (2011 No 1556).
sham marriage & sham civil partnership	this has the same meaning as in sections 24(5) and 24A(5) of the Immigration and Asylum Act 1999.
supplementary control zone	means the supplementary control zone within the meaning of Article 2(1) and Schedule 1 to the Channel Tunnel (International Agreements) Order 1993 (SI 1993/1813).
travel document	means a valid passport or other document that allows the holder to travel internationally and which (i) complies with international passport practice; (ii) is not issued by a territory that: is not recognised by Her Majesty's government as a state; or is not dealt with as a government by them; or does not accept valid UK passports for the purpose of its own immigration control.
UK border	means immigration control at a UK port and a <i>control zone</i> in France or Belgium or a <i>supplementary control zone</i> in France as defined by Article 2(1) and Schedule 1 to the Channel Tunnel (International Arrangements) Order 1993 (SI 1993/1813) and Article 3 of the Nationality Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003 (SI 2003/2818).
UK Higher Education Institution	means a body that receives public funding as a UK Higher Education Institution from the: - Department for Employment and Learning in Northern Ireland; - Higher Education Funding Council for England; - Higher Education Funding Council for Wales; or - Scottish Funding Council. And Richmond, the American International University in London.
visa national	persons specified in Appendix 2 to Appendix V: Visitors who need a visa for the United Kingdom for a visit or for any other purposes where seeking entry for 6 months or less.

visa post means a British Diplomatic Mission or Consular Post overseas or other office nominated by the Secretary of State where entry clearance applications are considered. Applicants can find the relevant local *application centre* on gov.uk.

visit visa means an entry clearance for the purpose of a visit under section 33 of the Immigration Act 1971. It is normally a vignette in the holder's passport. It includes entry clearances for visitors that were issued under paragraphs 40-56, 56D-56J, 56N-56Z, 75A-75M of these Rules and Appendix V.

APPENDIX 2. VISA NATIONAL LIST

Visa nationals

1 People who meet one or more of the criteria below need a visa in advance of travel to the UK as a visitor or for any other purpose for less than six months, unless they meet one of the exceptions set out in paragraphs 2 – 19:

(a) Nationals or citizens of the following countries or territorial entities (a “*” indicates there are exceptions in paragraph):

Afghanistan	Democratic Republic of the Congo
Albania	Djibouti
Algeria	Dominican Republic
Angola	Ecuador
Armenia	Egypt
Azerbaijan	Equatorial Guinea
Bahrain*	Eritrea
Bangladesh	Ethiopia
Belarus	Fiji
Benin	Gabon
Bhutan	Gambia
Bolivia	Georgia
Bosnia Herzegovina	Ghana
Burkina Faso	Guinea
Burma	Guinea Bissau
Burundi	Guyana
Cambodia	Haiti
Cameroon	India
Cape Verde	Indonesia
Central African Republic	Iran
Chad	Iraq
People's Republic of China*	Ivory Coast
Colombia	Jamaica
Comoros	Jordan
Congo	Kazakhstan
Cuba	Kenya
	Korea (North)

Kosovo	Ukraine
Kuwait *	United Arab Emirates*
Kyrgyzstan	Uzbekistan
Laos	Venezuela
Lebanon	Vietnam
Lesotho	Yemen
Liberia	Zambia
Libya	Zimbabwe
Macedonia	
Madagascar	
Malawi	
Mali	
Mauritania	
Moldova	
Mongolia	
Montenegro	
Morocco	
Mozambique	
Nepal	
Niger	
Nigeria	
Oman*	
Pakistan	
Peru	
Philippines	
Qatar*	
Russia	
Rwanda	
Sao Tome e Principe	
Saudi Arabia	
Senegal	
Serbia	
Sierra Leone	
Somalia	
South Africa	
South Sudan	
Sri Lanka	
Sudan	
Suriname	
Swaziland	
Syria	
Taiwan*	
Tajikistan	
Tanzania	
Thailand	
Togo	
Tunisia	
Turkey *	
Turkmenistan	
Uganda	

- (b) Stateless people.
- (c) People travelling on any document other than a national passport, regardless of whether the document is issued by or evidences nationality of a state not listed in (a), except where that document has been issued by the UK.

Exceptions to the list of visa nationals

Holders of specified travel documents

- 2 The following people do not need a visa before they travel to the UK as a visitor:
- (a) nationals or citizens of the People's Republic of China who hold passports issued by the Hong Kong Special Administrative Region; or
 - (b) nationals or citizens of the People's Republic of China who hold passports issued by the Macao Special Administrative Region; or
 - (c) nationals or citizens of Taiwan who hold a passport issued by Taiwan that includes in it the number of the identification card issued by the competent authority in Taiwan; or
 - (d) people who hold Service, Temporary Service and Diplomatic passports issued by the Holy See.
- 3 The following people do not need a visa before they travel to the UK as a visitor if they are travelling to the UK as a visitor for official purposes or the purposes of tourism or as a visitor in transit:
- (a) nationals or citizens of Oman, who hold a diplomatic or special passport issued by Oman; or
 - (b) nationals or citizens of Qatar who hold a diplomatic or special passport issued by Qatar; or
 - (c) nationals or citizens of the United Arab Emirates who hold a diplomatic or special passport issued by the United Arab Emirates; or
 - (d) nationals or citizens of Turkey, who hold a diplomatic passport issued by Turkey; or
 - (e) nationals of Kuwait who hold diplomatic or special passports issued by Kuwait; or
 - (f) nationals of Bahrain who hold diplomatic or special passports issued by Bahrain.

Exception to visa nationals where the applicant holds an Electronic Visa Waiver Document (Oman, Qatar and United Arab Emirates passport holders only)

Objective

- 4 Under the Electronic Visa Waiver (EVW) scheme, holders of a valid EVW document do not need to obtain a *visit visa*, or a visa for entry for six months or less where there is no mandatory entry clearance requirement, in advance of arrival in the UK, but can instead apply for *leave to enter* at the *UK border*.
- 5 Only passport holders of Oman, Qatar or the United Arab Emirates can hold and use an EVW document.

- (a) If the holder's EVW does not meet the validity requirements at paragraphs 7-13 of this Appendix; or
 - (b) the EVW Document is not used in the manner specified in 14 - 19 of this Appendix;
- they will be a *visa national* and will require a *visit visa*, meaning that they will normally be refused entry to the UK.

6 An EVW Document relates to one person and may only be used for one application for *leave to enter* the UK or, where applicable, one crossing of the land border from the Republic of Ireland.

Electronic Visa Waiver Document validity requirements

- 7 To obtain an EVW, an applicant must provide the required biographic and travel information at the Visa4UK website established by the UK Government at <http://www.visa4uk.fco.gov.uk/home/evw>.
- 8 The EVW Document must specify the flight, train or ship on which the applicant intends to arrive in the UK, including the port of departure and arrival, and the scheduled date and time of departure and arrival, unless 9 or 10 applies.
- 9 Where the applicant is seeking to arrive in the UK by entering a *control zone* in France or Belgium or *supplementary control zone* in France, the EVW must specify the train or ship on which they intend to arrive in the UK, including:
- (a) the railway station or port where the visitor enters the *control zone* or *supplementary control zone* and from which the applicant intends to depart for the UK; and
 - (b) the railway station or port at which the applicant intends to leave the train or ship after arrival in the UK; and
 - (c) the scheduled date and time of departure from, and arrival at, the specified railway stations or ports.
- 10 Where the applicant intends to cross the land border from the Republic of Ireland to the UK by train, car or any other means, the EVW must specify the place at which it is intended to cross the border and the intended date and time of arrival in the UK.
- 11 When the EVW Document is issued it must be printed in a legible form and in English.
- 12 An EVW Document is only valid if issued at least 48 hours before the holder departs on a flight, train or ship to the UK or crosses the UK land border from the Republic of Ireland by train, car or any other means.
- 13 An EVW Document may not be issued more than 3 months before the date of the holder's scheduled departure to the UK as specified on the EVW Document or, where the holder intends to cross the land border with the Republic of Ireland, before the intended date of the holder's arrival in the UK as specified on the EVW Document.

How an Electronic Visa Waiver Document must be used

- 14 The holder must present the EVW Document to an Immigration Officer on request upon the holder's arrival at the *UK Border* or, where the holder is seeking to arrive in the UK by entering a *control zone* in France or Belgium or a *supplementary control zone* in France, upon arrival in that zone.
- 15 The EVW Document must be surrendered to an Immigration Officer upon request.
- 16 The biographic details on the EVW Document must match those on the valid passport also presented by the holder to the Immigration Officer.
- 17 The holder must travel on the flight, train or ship specified on the EVW Document unless 18 or 19 applies.
- 18 If the holder travels on a different flight, train or ship this must depart from the same port or railway station and arrive at the same UK port or railway station as specified on the EVW Document; and either
 - (a) depart after the departure time specified on the EVW Document and arrive in the UK no more than 8 hours after the arrival time specified on the EVW Document; or
 - (b) if the holder is seeking to arrive in the UK by entering a *control zone* in France or Belgium or a *supplementary control zone* in France, arrive no more than 8 hours after, the departure time specified on the EVW Document.
- 19 If the holder is seeking to arrive in the UK by crossing the land border from the Republic of Ireland, the holder must cross at the time specified on the EVW Document or no more than 8 hours after the time specified on the EVW Document.

VISITORS APPENDIX 3. PERMITTED ACTIVITIES FOR ALL VISITORS (EXCEPT TRANSIT VISITORS)

- 1 All visitors are permitted to undertake the activities listed in paragraphs 3 – 27 of this Appendix provided they meet the requirements at V 4.5- V 4.8. Visitors coming to the UK under the ADS agreement may only do activities in paragraph 3 of this appendix.
- 2 Visitors may only receive payment where allowed by V 4.7.

Tourism and leisure

- 3 A visitor may visit friends and family and / or come to the UK for a holiday.

Volunteering

- 4 A visitor may undertake incidental volunteering, provided it lasts no more than 30 days in total and is for a charity that is registered with either the Charity Commission for England and Wales; the Charity Commission for Northern Ireland; or the Office of the Scottish Charity Regulator.

Business – general activities

- 5 A visitor may:
- (a) attend meetings, conferences, seminars, interviews;
 - (b) give a one-off or short series of talks and speeches provided these are not organised as commercial events and will not make a profit for the organiser;
 - (c) negotiate and sign deals and contracts;
 - (d) attend trade fairs, for promotional work only, provided the visitor is not directly selling;
 - (e) carry out site visits and inspections;
 - (f) gather information for their employment overseas;
 - (g) be briefed on the requirements of a UK based customer, provided any work for the customer is done outside of the UK.

Business – corporate

Intra-corporate activities

- 6 An employee of an overseas based company may:
- (a) advise and consult;
 - (b) trouble-shoot;
 - (c) provide training;
 - (d) share skills and knowledge;
- on a specific internal project with UK employees of the same corporate group, provided no work is carried out directly with clients.
- 7 An internal auditor may carry out regulatory or financial audits at a UK branch of the same group of companies as the visitor's employer overseas.

Prospective Entrepreneur

- 8 A visitor who can show support from:
- (a) one or more registered venture capitalist firms regulated by the financial conduct authority; or
 - (b) one or more UK entrepreneurial seed funding competitions which is listed as endorsed on www.gov.uk/government/publications/entrepreneurs-setting-up-in-the-uk/entrepreneurs-setting-up-in-the-uk; or
 - (c) one or more UK Government Departments;
- may come to the UK for discussions to secure funding from one of the above sources which they intend to use to join, set up or take over a business in the UK.

Manufacturing and supply of goods to the UK

- 9 An employee of a foreign manufacturer or supplier may install, dismantle, repair, service or advise on equipment, computer software or hardware

where it has a contract of purchase or supply or lease with a UK company or organisation.

Clients of UK export companies

- 10 A client of a UK export company may be seconded to the UK company in order to oversee the requirements for goods and services that are being provided under contract by the UK company or its subsidiary company, provided the two companies are not part of the same group. Employees may exceptionally make multiple visits to cover the duration of the contract.

Business – specific sectors

Science, research and academia

- 11 Scientists and researchers may:
- (a) gather information and facts for a specific project which directly relates to their employment overseas;
 - (b) share knowledge or advise on an international project that is being led from the UK, provided the visitor is not carrying out research in the UK.
- 12 Academics may:
- (a) take part in formal exchange arrangements with UK counterparts (including doctors);
 - (b) carry out research for their own purposes if they are on sabbatical leave from their home institution;
 - (c) if they are an eminent senior doctor or dentist, take part in research, teaching or clinical practice provided this does not amount to filling a permanent teaching post.

Legal

- 13 An expert witness may visit the UK to give evidence in a UK court. Other witnesses may visit the UK to attend a court hearing in the UK if summoned in person by a UK court.
- 14 An overseas lawyer may advise a UK based client on specific international litigation and/or an international transaction.

Religion

- 15 Religious workers may visit the UK to preach or do pastoral work.

Creative

- 16 An artist, entertainer, or musician may:
- (a) give performances as an individual or as part of a group;
 - (b) take part in competitions or auditions;
 - (c) make personal appearances and take part in promotional activities;
 - (d) take part in one or more cultural events or festivals on the list of permit free festivals in Appendix 5 (where payment is permitted).

- 17 Personal or technical staff or members of the production team of an artist, entertainer or musician may support the activities in paragraph 16 of this Appendix or paragraph 1(e) of Appendix 4, provided they are attending the same event as the artist, entertainer or musician, and are employed to work for them outside of the UK.
- 18 Film crew (actor, producer, director or technician) employed by an overseas company may visit the UK to take part in a location shoot for a film or programme that is produced and financed overseas.

Sport

- 19 A sports person may:
- (a) take part in a sports tournament or sports event as an individual or part of a team;
 - (b) make personal appearances and take part in promotional activities;
 - (c) take part in trials provided they are not in front of a paying audience;
 - (d) take part in short periods of training provided they are not being paid by a UK sporting body;
 - (e) join an amateur team or club to gain experience in a particular sport.
- 20 Personal or technical staff of the sports person, or sports officials, may support the activities in paragraph 19 of this Appendix or in paragraph 1(e) of Appendix 4, if they are attending the same event as the sports person, and are employed to work for them outside the UK.

Business - overseas roles requiring specific activities in the UK

- 21 Individuals employed outside the UK may visit the UK to take part in the following activities in relation to their employment overseas:
- (a) a translator and/or interpreter may support a business person in the UK, provided they will attend the same event(s) as the business person and are employed by that business person outside of the UK;
 - (b) personal assistants and bodyguards may support an overseas business person in carrying out permitted activities, provided they will attend the same event(s) as the business person and are employed by them outside the UK. They must not be providing personal care or domestic work for the business person;
 - (c) a driver on a genuine international route delivering goods or passengers from abroad to the UK;
 - (d) a tour group courier, contracted to a company with its headquarters outside the UK, who is entering and departing the UK with a tour group organised by their company;
 - (e) a journalist, correspondent, producer or cameraman gathering information for an overseas publication, programme or film;
 - (f) archaeologists taking part in a one-off archaeological excavation;
 - (g) a professor from an overseas academic institution accompanying students to the UK as part of a study abroad programme, may provide a small amount of teaching to the students at the host organisation. However this must not amount to filling a permanent teaching role for that institution.

Work-related training

- 22 Overseas graduates from medical, dental or nursing schools may:
- (a) undertake clinical attachments or dental observer posts provided these are unpaid, and involve no treatment of patients. The visitor must provide written confirmation of their offer to take up this post and confirm they have not previously undertaken this activity in the UK;
 - (b) take the following test/examination in the UK:
 - (i) the Professional and Linguistic Assessment Board (PLAB) test, where the visitor can provide written confirmation of this from the General Medical Council; or
 - (ii) the Objective Structured Clinical Examinations (OSCE) for overseas, where the visitor can provide written evidence of this from the Nursing and Midwifery Council.
- 23 Employees of an overseas company or organisation may receive training from a UK based company or organisation in work practices and techniques which are required for the visitor's employment overseas and not available in their home country.
- 24 An employee of an overseas based training company may deliver a short series of training to employees of a UK based company, where the trainer is employed by an overseas business contracted to deliver global training to the international corporate group to which the UK based company belongs.

Study

Incidental study

- 25 Visitors may carry out the following study:
- (a) educational exchanges or visits with a UK state or independent school; or
 - (b) a total of up to 30 days on:
 - (i) *recreational courses* (not English language training);
 - (ii) a short-course (which includes English language training) at an *accredited institution*.

Medical treatment

- 26 An individual may receive *private medical treatment* provided they meet the additional eligibility requirements at V 4.14 – V 4.16.
- 27 An individual may act as an organ donor or be assessed as a potential organ donor to an identified recipient in the United Kingdom, provided they meet the additional eligibility requirements at V 4.17 – V 4.20.

VISITORS APPENDIX 4. PERMITTED PAID ENGAGEMENTS

- 1 The following are permitted paid engagements:

- (a) an academic who is highly qualified within his or her field of expertise may examine students and/or participate in or chair selection panels, if they have been invited by a *UK Higher Education Institution* or a UK based research or arts organisation as part of that institution or organisation's quality assurance processes.
- (b) An expert may give lectures in their subject area, if they have been invited by a *UK Higher Education Institution*; or a UK based research or arts organisation provided this does not amount to filling a teaching position for the host organisation.
- (c) An overseas designated pilot examiner may assess UK based pilots to ensure they meet the national aviation regulatory requirements of other countries, if they have been invited by an approved training organisation based in the UK that is regulated by the UK Civil Aviation Authority for that purpose.
- (d) A qualified lawyer may provide advocacy for a court or tribunal hearing, arbitration or other form of dispute resolution for legal proceedings within the UK, if they have been invited by a client.
- (e) A professional artist, entertainer, musician or sports person may carry out an activity directly relating to their profession, if they have been invited by a creative (arts or entertainment) or sports organisation, agent or broadcaster based in the UK.

VISITORS APPENDIX 5. PERMIT FREE FESTIVALS

- 1 An artist, entertainer or musician visiting the UK to perform at one or more of the following permit free festivals may receive payment to do so:
 - (a) Aberdeen International Youth Festival
 - (b) Aldeburgh Festival
 - (c) Alchemy (Southbank Centre)
 - (d) Alnwick Festival
 - (e) Barbican Festivals (Only connect: Bruce Dessner's Marathon Weekend, Summer Festival, Autumn 1: Transcender, Autumn 2 : Jazz at Lincoln Center)
 - (f) Belfast Festival at Queen's
 - (g) Bestival
 - (h) Billingham International Folklore Festival of World Dance
 - (i) Birmingham International Jazz Festival
 - (j) Breakin Covention
 - (k) Brighton Festival
 - (l) Brighton Fringe
 - (m) Brouhaha International Street Festival
 - (n) Calling Festival
 - (o) Camp Bestival
 - (p) Cambridge Folk Festival
 - (q) Celtic Connections
 - (r) Cheltenham Festivals (Jazz/Science/ Music/Literature)
 - (s) City of London Festival
 - (t) Cornwall International Male Voice Choral Festival
 - (u) Dance Umbrella
 - (v) Download

- (w) Edinburgh Festival Fringe
- (x) Edinburgh International Festival
- (y) Edinburgh Jazz and Blues Festival
- (z) Royal Edinburgh Military Tattoo
- (aa) Eisteddfod Genedlaethol Cymru/National Eisteddfod of Wales
- (bb) Glasgow International Jazz Festival
- (cc) Glastonbury
- (dd) Glyndebourne
- (ee) Greenbelt
- (ff) Harrogate International Festival
- (gg) Hay Festival
- (hh) Huddersfield Contemporary Music Festival
- (ii) Latitude
- (jj) LIFT (not being held in 2015)
- (kk) (EFG) London Jazz Festival
- (ll) Leeds Festival
- (mm) Manchester International Festival
- (nn) Meltdown
- (oo) Norfolk and Norwich Festival
- (pp) Reading Festival
- (qq) Salisbury International Arts Festival
- (rr) Snape Festival
- (ss) T in the Park
- (tt) V Festival
- (uu) Wireless
- (vv) WOMAD”

**EXPLANATORY MEMORANDUM TO
THE STATEMENT OF CHANGES IN IMMIGRATION RULES
PRESENTED TO PARLIAMENT ON 26 FEBRUARY 2015 (HC 1025)**

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the Instrument

2.1. The purpose of these changes is to:

- Consolidate and clarify the Immigration Rules for visitors, by streamlining 15 visitor routes down to four: visitor (standard); visitor for marriage or civil partnership; visitor for permitted paid engagements and transit visitor.
- Create a single set of Rules for visitors covering: requirements for entry and stay in the UK; how to make an application as a visitor; suitability grounds for refusal and cancellation of visas or leave; eligibility requirements for each of the new visitor types; curtailment; the list of nationalities which require a visa in advance of travel and permitted activities for visitors.
- Rebrand the student visitor, and extended student visitor routes into new routes for short term study, which sit in Part 3 of the Rules, so that the routes are conceptually clearer for those undertaking short courses.
- Rebrand the “parent of a child at school” route as “parent of a Tier 4 (child) student” and place into Part 7 of the Immigration Rules as these individuals are not visitors.
- Enable caseworkers to require persons present in the UK with limited leave to provide evidence and/or attend an interview in order to demonstrate that they continue to meet the requirements of the Immigration Rules;
- Ensure that Overseas Domestic Workers have contracts that meet UK employment laws and that they will be paid in accordance with the National Minimum Wage Regulations;
- Amend the Shortage Occupation List in Tier 2 of the Points-Based System, following a partial review by the Migration Advisory Committee;
- Make scheduled annual updates to minimum salary thresholds and appropriate salary rates for occupations in Tier 2;
- Introduce a requirement for prospective Tier 1 (Investor) Migrants to open a UK-regulated investment account before making an initial application;
- Apply a “genuine entrepreneur” test to Tier 1 (Entrepreneur) extension and indefinite leave to remain applications;

- Close the Tier 1 (General) category for extension applications, and restrict the ability of Tier 1 (General) Migrants to switch into the Tier 1 (Entrepreneur) category;
- Make other changes to Tier 1 and Tier 2 of the Points-Based System;
- Update the list of Tier 5 Government Authorised Exchange schemes;
- Update the list of approved English language tests in Appendix O following the awards of new concessions to test providers and make changes to the Immigration Rules to ensure that English language tests taken for immigration purposes are taken at approved test centres.
- Make changes to the Immigration Rules relating to valid applications;
- Make changes and clarifications to the Immigration Rules relating to family and private life;
- Amend the circumstances under which a claim for asylum may be treated as implicitly withdrawn;
- Amend the requirement to grant a minimum of five years leave to any person granted asylum or humanitarian protection;
- Make other minor amendments and updates to the requirements for indefinite leave to remain for persons granted asylum or humanitarian protection;
- Enable UAE, Bahraini, Kuwaiti, Qatari and Omani diplomatic and special passport holders and Turkish diplomatic passport holders to travel visa free to the UK for the purpose of “visit in transit”;
- Extend the rules on when and how a person may apply to the Home Office to have a casework error in an eligible decision, as defined in Appendix AR of the Immigration Rules, corrected through a process of administrative review;
- Make minor changes and clarifications to the Immigration Rules relating to armed forces;
- Enable applications for entry to be refused if, where requested, a person fails to provide an overseas criminal record certificate;
- Change the Immigration Rules for TB screening incorporating compulsory screening for active pulmonary tuberculosis for migrants coming to the UK for over six months by amending Appendix T to accurately reflect the details of screening providers overseas and clarifying requirements for certificates; and
- Make other minor changes and updates.

3. Matters of special interest to the Joint Committee on Statutory Instruments or the Select Committee on Statutory Instruments

3.1. The Home Office regrets that it has not been possible to give the usual 21 days' notice before some of these changes take effect, relating to Withdrawn Asylum Claims, Refugee Settlement Protection and the administrative review. The new rules on administrative review are being brought into effect on the same day that the new appeal provisions in section 15 of the Immigration Act 2014 are being extended by the Immigration Act 2014 (Commencement No. 4, Transitional and Saving Provisions and Amendments) Order 2015. Section 15 substitutes a new section 82 into the Nationality, Immigration and Asylum Act 2002, which sets out new rights of appeal to the First-tier Tribunal. The effect of the Order will be to remove the right of appeal for certain persons who have been refused further leave to remain under the Points Based System, where the application is made on or after 2 March 2015. The Order also removes the right of appeal for further categories of person from 6 April 2015. The Immigration Rules will extend a right for these persons to apply for an administrative review, as set out in this Statement of Changes.

3.2. The reason for the reduced notice period is to prevent a surge in abusive applications by Points Based System applicants in order to preserve their right of appeal. Usually, applications for further leave should be submitted shortly before leave is due to expire. There are concerns that if there is a significant time period between the date announcing the commencement of section 15 and the date of coming into force that a large volume of applicants for leave to remain may make their application early to attempt to preserve their right of appeal. The right of appeal is used by abusive applicants as a means of delaying their departure from the UK because appeals are slow to conclude, irrespective of whether there is merit in the grounds of appeal, whereas the new administrative review process will be quick.

3.3. The corrections to the rules relating to Refugee Settlement Protection is also being made without the usual 21 days' notice. The corrections relating to criminality, character, conduct and associations are to ensure consistency of decision-making across migration routes when considering settlement applications. The correction relating to Family Reunion is in applicants' favour, and is being made quickly to ensure that applications are not refused unnecessarily.

3.4. This Statement amends the previous Statement of Changes HC 1130 in relation to compulsory screening for active pulmonary tuberculosis of migrants coming to the UK for more than six months from specified countries. This Statement ensures that the list of screening providers overseas is accurate. It also seeks to clarify the requirements for those applying for entry clearance that have been living in countries either not mentioned in Appendix T or where they are third country nationals.

3.5. These changes reflect a Government commitment to introduce pre-entry screening for active pulmonary tuberculosis in an initial 82 countries. The relevant Written Ministerial Statement (WMS) of the then Minister of State for Immigration, The Rt Hon Damian Green MP, of 21 May 2012 is at <http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2012/may/42-tb-test>.

3.6. Operationally, we are ensuring alignment with Five Country Conference (FCC) partners who have been supporting the UK in implementing this programme and also the International Organisation for Migration (IOM) who are providing screening facilities in some countries. We continue to work closely with colleagues in Public Health England to quality assure our processes overseas.

3.7. Following the previous Statement of Changes referred to above, the Secondary Legislation Scrutiny Committee was advised of the scope of the project and the planned frequency of further changes.

3.8. The new Immigration Rules for visitors reflect the intention of the Home Office to introduce a new structure and style of Immigration Rules. This means moving from Rules which relate to a route being separated into different parts, to sets of Rules for different routes (e.g. visit, work, study, etc) which are located in one place. The purpose of this change is to make the Rules clearer and more accessible for decision-makers and applicants, particularly non-experts who may be accessing the Immigration Rules online.

3.9. The Committee is invited to note that this Statement of Changes is accompanied by amended guidance which is being published on the visas and immigration pages of the GOV.UK website www.gov.uk/visasimmigration in time for the changes coming into effect.

4. Legislative Context

4.1. The Immigration Rules, as laid before Parliament by the Home Secretary, constitute a statement of practice to be followed in the administration of the Immigration Act 1971 for regulating entry into and the stay of persons in the United Kingdom.

4.2. This Statement of Changes in Immigration Rules will be incorporated into a consolidated version of the Immigration Rules, which can be found under the visas and immigration pages of the GOV.UK website at www.gov.uk/government/collections/immigration-rules where there are also copies of all the Statements of Changes in Immigration Rules issued since May 2003.

4.3. The changes set out in this Statement of Changes concerning administrative review give further effect to a commitment made during the passage of the Immigration Bill through Parliament to introduce these measures. In October 2013 a statement of intent on administrative review was published¹ which sets out the commitments made to Parliament. The commitment was to provide persons whose immigration applications have been refused, and who no longer have a right of appeal against that refusal, with the opportunity to have casework errors corrected by administrative review. Administrative Review came into effect on 20 October 2014 as part of a previous Statement of Changes in the Immigration Rules² for Tier 4 migrants only. It is now being extended to further migration routes.

¹ <https://www.gov.uk/government/publications/immigration-bill-part-2-appeals>

² Statement of Changes in the Immigration Rules HC693 of 2014/15

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364371/hc-693.pdf

4.4. Article 20 of Council Directive 2005/85/EC of 1 December 2005 laying down minimum standards on procedures in Member States for granting and withdrawing refugee status (OJ No. L 326, 13.12.05, page 13) (“the Directive”) states that “Member States may assume that the applicant has implicitly withdrawn or abandoned his/her application in particular when it is ascertained that:

(a) he/she has failed to respond to requests to provide information essential to his/her application in terms of Article 4 of Directive 2004/83/EC or has not appeared for a personal interview as provided for in Articles 12, 13 and 14, unless the applicant demonstrates within a reasonable time that his/her failure was due to circumstances beyond his control;

(b) he/she has absconded or left without authorisation the place where he/she lived or was held, without contacting the competent authority within a reasonable time, or he/she has not within a reasonable time complied with reporting duties or other obligations to communicate.

4.5. The Directive sets out the basic procedural obligations on Member States when assessing asylum applications. It was the final one to be implemented as part of the first phase of the Common European Asylum System.

4.6. The changes set out in paragraphs 220 and 222 to 232 of this statement shall apply to applications and asylum claims decided on or after 27 February 2015.

4.7. The changes set out in paragraphs 6, 39 to 40 and 358 to 359 of this statement shall take effect from 2 March 2015.

4.8. The change set out in paragraph 297 of this statement shall take effect from 19 March 2015.

4.9. The changes set out in paragraphs 120, 123 to 124, 126 to 127, 130 to 131, 290 to 296, 298 to 300, and 423 to 435 of this statement shall take effect from 6 April 2015. However, if an applicant has made an application for entry clearance or leave to remain on or after 6 April 2015 using a Certificate of Sponsorship that was assigned to him by his Sponsor before 6 April 2015, the application will be decided in accordance with the rules in force on 5 April 2015.

4.10. The changes set out in paragraphs 320 to 321, 380, 384, 414 to 418, 436 and 442 of this statement shall take effect from 6 April 2015 and apply to all applications decided on or after that date. However, these changes will not apply to a person who makes an application for entry clearance or leave to remain before 6 November 2015 provided that the specified English language test was passed on or before 5 April 2015 and regardless of whether the specified English language test was taken at a test centre approved by the Secretary of State as a Secure English language test centre. The version of Appendix O in force on 5 April 2015 will apply to a person passing a specified English language test on or before 5 April 2015 and applying before 6 November 2015.

4.11. The changes set out in paragraphs 24, 74 to 75, 79 to 81, 83, 86, 92, 94, 103, 108, 112, 117 to 118, 121 to 122, 128, 132, 134, 138, 182 to 183, 185, 188, 190 to 198, 200 to 201, 207, 233 to 234, 367, 381 and 399 to 413 of this statement shall take effect from 6 April 2015 and apply to all applications decided on or after that date regardless of the date of application.

4.12. The changes set out in paragraphs 28 to 31 of this statement will only apply to applications made on or after 6 April 2015.

4.13. The changes set out in paragraphs 2, 4 to 5, 13 to 20, 25 to 27, 49 to 51, 82, 84 to 85, 87 to 89, 104, 139, 184, 186 to 187, 189, 199, 205 to 206, 235, 398, and 448 of this statement take effect from 24 April 2015 and replace Part 2 of the Immigration Rules. Any applications for entry clearance or leave to enter or remain made on or after 24 April 2015 will be decided in accordance with the new Visitor Rules in force from 24 April 2015.

4.14. The other changes set out in this statement shall take effect from 6 April 2015. However, if an application has been made for entry clearance or leave to enter or remain before 6 April 2015, the application will be decided in accordance with the Rules in force on 5 April 2015.

5. Territorial Extent and Application

5.1. This Statement of Changes applies to all of the United Kingdom.

6. European Convention on Human Rights

6.1. As this Statement of Changes in Immigration Rules is subject to a negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy Background

What is being done and why

7.1. A summary of the changes contained in this Statement follows:

Changes relating to prospective students, partners and children

7.2. The route for prospective students to come to the UK for up to 6 months to finalise preparations for their studies was removed in October 2013 as it was little used. We are now removing the provision for prospective students and their dependants to be granted leave to remain to complete a maximum of 6 months stay if they were granted leave to enter for less than 6 months.

Changes relating to visitor rules

7.3. The changes seek to clarify our policy regarding visitors and to increase flexibility in the system, specifically with regard to the activities visitors can

undertake in the UK. No changes are designed to restrict genuine visitors from coming to the UK. A summary of the changes is as follows.

Redesigning the visitor routes

7.4. There are currently 15 different visitor routes set out in the Immigration Rules which, to some degree, limit the individual to a single purpose during their visit. For example, business visitors must enter only for business activities; general visitors for tourism; private medical treatment visitors specifically to receive treatment. As a result, there is very little flexibility for those who regularly travel to the UK to carry out different sets of activities without having to apply for separate visit visas each time.

7.5. We have redesigned the visitor routes so that there are four: visitor (standard); visitor for marriage or civil partnerships; visitor for permitted paid engagements and transit visitor. The visitor (standard) route consolidates the following existing routes: general, business, child, sport, entertainer, visitors for private medical treatment, visitors under the Approved Destination Status (ADS) Agreement with China, prospective entrepreneur, and visitors undertaking clinical attachments; the Professional and Linguistic Assessment Board (PLAB) test and the Objective Structured Clinical Examination (OSCE). In practice, this means that individuals will be able to undertake a range of activities if entering under the visitor (standard) route.

7.6. Within the visitor (standard) route, we are also retaining specific visit visa categories for those entering to carry out research as an academic; those receiving private medical treatment and for children.

7.7. The student visitor and extended student visitor routes are being rebranded as short term study routes which will sit in Part 3 of the Immigration Rules alongside other study provisions. The reason for this is to make the system clearer for those whose main purpose for coming to the UK is to study a short course up to six months, or 11 months in the case of adults studying longer English language courses.

7.8. The “Parent of a child at school” route is being rebranded as “Parent of a Tier 4 (child) student” to clarify the purpose of the route, and will sit in Part 7 of the Immigration Rules as these individuals are not visitors.

7.9. There are no other changes to the overall structure of the visitor routes for permitted paid engagements; marriage and civil partnerships; and transit.

Expanding the permitted activities to be undertaken by visitors

7.10. The permitted activities for each of the four visitor routes will be set out in Appendices to the new Visit Rules. Those entering under the visitor (standard) route will be permitted to carry out activities set out in Appendix 3 of the new visit Rules. We have also extended these activities to visitors for marriage or civil partnership, and visitors for permitted paid engagements.

7.11. We are adding new activities to Appendix 3 to address genuine gaps in the system. We will be:

- allowing visitors to carry out incidental unpaid volunteering for up to 30 days at a UK registered charity;
- allowing overseas trainers to deliver training to UK based employees of a multinational company, where the training is part of a contract to deliver global training to the international corporate group;
- allowing UK based organisations, who are not corporate entities, to provide training to overseas visitors on work practices and techniques that are needed for their employment overseas, where this is not readily available in their home country; and
- expanding the existing provision to allow overseas lawyers to advise a UK client on international transactions and litigation, provided they remain paid and employed overseas.

Redesigning the Immigration Rules for visitors

7.12. The new Immigration Rules for visitors contain all the provisions relevant to visitor applications. The structure covers the following:

Rules on entry to the UK

7.13. Part 1 of the Visitor Rules covers the types of permission to enter the UK, who needs a visa to enter the UK and who can apply at the UK border, and types and lengths of visit visa. This section restates in plain English some Rules from Part 1 of the Immigration Rules and reproduces ‘Appendix 1: UK visa requirements’ as Appendix 2 of the Visitor Rules, which contains the visa-national list, setting out who requires a visa and any exceptions. Provisions from Appendix 1 of the Immigration Rules that are not relevant to visitors have been moved to paragraph 18A. The reason for this change is to create a set of Rules that includes all information relevant to visitors in one place.

Rules on making an application for a visit visa

7.14. Part 2 of the Visitor Rules covers how to make an application for a visit visa, how the date of an application is determined (for the purpose of determining what set of Rules apply), and how applications can be withdrawn. This section provides a simple statement of what applicants need to do to make an application outside the UK: apply online, or follow instructions provided by the decision making post where that is not possible, pay the fee, provide biometrics and a valid travel document. The reason for this change is to simplify and update the Rules to focus on what an applicant needs to do, and to reflect increased use of online applications.

Rules on suitability requirements (grounds for refusal and cancellation)

7.15. Parts 3 and 9 of the Visitor Rules covers the suitability requirements for all visitors, the grounds for cancellation of a visa or leave, before or on arrival at the UK border, and curtailment. This section reproduces paragraphs 320, 321, 321A and

relevant provisions of 322 and 323 from Part 9 of the Immigration Rules. The provisions in the Visitor Rules have been structured differently and redrafted to provide a clearer statement of policy, but the tests that apply have not changed except in a few instances. The failure to provide biometrics, information or medical reports, if these have been required and if the applicant does not have a reasonable excuse has been made a mandatory ground for refusal. This change is to make these Rules consistent with the mandatory requirement to refuse a failure to attend interview and to bring the Visitor Rules in line with the requirements in Appendix FM. At V 9.3 the Rules have been amended to better reflect the existing test which is set out in Section 2A(2A) of Schedule 2 in the 1971 Act.

Eligibility Rules

7.16. Part 4 of the Visitor Rules covers the eligibility requirements for individuals entering under the visitor (standard) route. It covers the core requirements that apply to all visitors as well as the permissions and restrictions that are attached to their leave. It also covers the additional requirements for visitors who are entering for a specific purpose where our decision-makers need additional information: children, visitors holding their marriage or civil partnership in the UK, visitors coming for private medical treatment, visitors coming to the UK to donate an organ, visitors under the Approved Destination Status Agreement with China, and academics.

7.17. The Rules also clarify the assessments made by UK Visas and Immigration and Border Force to determine if a visitor is genuine. We are expanding our policy to allow any third party in the UK to provide financial support and accommodation to a visitor, where this was previously limited to friends and family. We expect the change to be well received by businesses and other organisations who provide financial support to visitors. These provisions consolidate the requirements of the relevant routes in Part 2 of the Immigration Rules.

7.18. Part 5 of the Visitor Rules sets out the eligibility requirements for visitors coming for permitted paid engagements, and Appendix 4 lists these activities. These Rules reproduce the policies in 56X-56Z of the Immigration Rules.

7.19. Part 6 of the Visitor Rules sets out the eligibility requirements visitors holding their marriage or civil partnership in the UK. These Rules reproduce the policies in 56D-56F of the Immigration Rules.

7.20. Part 7 of the Visitor Rules sets out the eligibility requirements for visitors transiting the UK. These Rules reproduce the policies in 47ZA-50F of the Immigration Rules.

7.21. Part 8 of the Visitor Rules sets out who can extend their stay in the UK as a visitor, how long for and the eligibility requirements they must meet. This reproduces Rules from across Part 2 of the Immigration Rules.

Miscellaneous changes to enable the new Visitor Rules

7.22. The Visitor Rules also include definitions and interpretation in Appendix 1 (some of which are currently included in paragraph 6 of the Immigration Rules), and the list of Permit Free festivals in Appendix 5.

7.23. In the Immigration Rules various changes have been made to support the changes to the Visitor Rules. Defined terms have been amended to reflect the new Rules. Paragraphs 2 (a) and (b) have been moved to Part 1. References to visitors have been amended to reflect the new routes and to ensure that short term student continue to be treated as they would have been as student visitors.

Changes relating to Transit Without Visa Scheme

7.24. We are seeking to make changes to the Immigration Rules to make further specification to the list of transit visa exemption documents acceptable under the transit without visa (TWOV) scheme, in part to ensure that such documents are verifiable. This includes making clear that electronic versions of exemption documents are not acceptable.

Changes relating to the general grounds for refusal

7.25. A change to paragraph B320(2) will bring the general grounds for refusal for Part 9A of Appendix Armed Forces into line with those for Parts 9 and 10 and allows entry clearance to be refused where an applicant cannot satisfy an Immigration Officer that he or she will be admitted to another country after a stay in the UK.

7.26. A change is being made to introduce a new requirement for applicants seeking entry to UK to provide a criminal record certificate from any country in which they have been resident for 12 months or more, in the past ten years. This will only apply to categories where the applicant is asked to provide certificates alongside their application. This requirement will support criminality checks and the General Grounds for Refusal to ensure that those coming to UK do not have serious or recent criminal convictions. Certain exemptions will apply for those aged 17 or under or where those authorities are unable to provide certificates.

Cross-cutting changes

7.27. Following the coming into force of the Immigration (Control of Entry through the Republic of Ireland) (Amendment) Order 2014 on 12 October 2014, the Immigration Rules are being amended to clarify that visitors entering the UK from the Republic of Ireland using a British-Irish Visa Scheme (BIVS) Visa are not eligible to apply to remain in the UK as family members of a Relevant Points Based System Migrant. The amendments bring these visitors in line with holders of visit visas issued by the UK.

7.28. Tier 1 and Tier 2 Migrants who apply for settlement must not have had more than 180 days absent from the UK per year during the qualifying period (usually five years). A change is being made to discount any absences from the UK from counting towards the 180 day limit, where the absence was due to the applicant assisting with the Ebola crisis which began in West Africa in 2014.

7.29. A technical change is being made to the Points-Based System rules for qualifications taught in English as evidence of meeting English language requirements. UK NARIC has confirmed that it is able to assess some Masters and PhD qualifications as meeting the requirement, and so provision for these is being added.

7.30. A change is being made to apply a condition on all adult temporary migrants (individuals given limited leave to enter or remain) prohibiting them from undertaking studies in a discipline listed in appendix 6 of the Immigration Rules without first obtaining an Academic Technology Approval Scheme (ATAS) clearance certificate from the Counter-Proliferation Department of the Foreign and Commonwealth Office. This change extends the current ATAS requirements to bring all temporary migrants in line with Tier 4 of the points-based system.

7.31. A change is being made to the list of sports governing bodies who may endorse Tier 2 (Sportsperson) and Tier 5 (Temporary Worker – Creative and Sporting) applications. The endorsements by the Auto-Cycle Union and the British Speedway Promoters Association are being expanded to include Tier 5 applications in addition to Tier 2 applications.

7.32. A handful of minor drafting errors are being corrected.

Changes relating to Tier 1 of the Points-Based System

7.33. Tier 1 of the Points-Based System caters for high value migrants, and currently consists of four categories: Tier 1 (Exceptional Talent), Tier 1 (Entrepreneur), Tier 1 (Investor) and Tier 1 (Graduate Entrepreneur). It also includes the Tier 1 (General) category, which was closed to new applicants in April 2011. A further category, Tier 1 (Post-Study Work), was closed in April 2012.

7.34. The Tier 1 (Exceptional Talent) category was introduced for those who lead the world or show exceptional promise in the fields of science, humanities, engineering and the arts, who have been endorsed by a Designated Competent Body and wish to work in the UK. A change is being made to give applicants the option of how much leave (up to the current maximum of 5 years, or 5 years and 4 months in the case of entry clearance applications) they wish to apply for. This change is being made alongside the introduction of NHS surcharge payments, and means that Tier 1 (Exceptional Talent) applicants who only wish to come to the UK for a shorter time in this category will not need to pay the maximum leave period surcharge payment.

7.35. The Tier 1 (Entrepreneur) category caters for applicants coming to the UK to set up, take over, or be involved in the running of a business in the UK as directors. This category has the potential to benefit the UK economy but has been heavily abused in recent years. The following changes are being made to this category:

- A change is being made to the provision for applicants with business funding from a UK or Devolved Government Department, to make it clear that government funding by way of an intermediary public body may be accepted, providing that body confirms that the funds were made available by a UK or

Devolved Government Department for the specific purpose of establishing or expanding a UK business.

- A change is being made to expand the use of the “genuineness” tests in the Tier 1 (Entrepreneur) route to applications for extensions and indefinite leave to remain, to better protect the route against abuse without disadvantaging genuine applicants. This change is similar to the “genuine entrepreneur” test introduced for initial applications in January 2013 (HC 943).
- A change is being made to restrict the ability of Tier 1 (General) Migrants to switch into Tier 1 (Entrepreneur), unless they have already established a UK business before the date these changes take effect (6 April 2015), or they have funding from a government department or endorsed seed funding competition. This change is being made due to the closure of Tier 1 (General) extension applications (see above), and concerns that similar areas of abuse have been identified in the two categories. The change is similar to arrangements put in place for Tier 1 (Post-Study Work) applicants in July 2014 (HC 532). It only affects switching into the Tier 1 (Entrepreneur) route, which has been identified as a target for abuse. Switching arrangements from Tier 1 (General) into other categories, for example Tier 2, remain unchanged. Tier 1 (General) Migrants can also still apply for indefinite leave to remain without changing category, until 2018.
- Clarifications are being made to the rules regarding how investment funds may be spent, and the restriction on engaging in businesses principally concerned with property development or property management, due to increased queries on these subjects.
- To help counter abuse relating to the source of funds, a change is being made so that applicants relying on funds they hold themselves must provide evidence of the third party source of those funds, if they have held the funds for less than 90 days before making an initial application.
- A new requirement is being added for all initial applicants to submit a business plan. Previously this was not a mandatory document, but is often requested by caseworkers to help applicants demonstrate a genuine intention to set-up a UK business.
- Minor technical changes are being made to other evidential requirements.

7.36. The Tier 1 (Graduate Entrepreneur) category caters for graduates who have been endorsed by UK Higher Education Institutions or by UK Trade and Investment to establish one or more businesses in the UK. A change is being made to restrict applicants in this category from engaging in businesses principally concerned with property development or property management, for consistency with the Tier 1 (Entrepreneur) category.

7.37. The Tier 1 (Investor) category caters for high net worth individuals making a substantial financial investment to the UK. This category was recently reviewed by

the Migration Advisory Committee and a report published on 28 February 2014. The following changes are being made to this category, partially in response to that report:

- A requirement is being added for prospective investors to open a UK-regulated investment account before making an initial application. This change will ensure UK banks carry out due diligence checks on investors before they apply for entry clearance or leave to remain, not after.
- The minimum age of applicants in this category is being increased from 16 to 18. This change is being made to reflect the fact that it is not normally possible for 16- and 17-year old applicants to be wholly in control of their own funds and investments.
- Changes are being made to the requirement for applicants to maintain their investments. The changes will mean applicants will no longer need to invest additional capital if they sell part of their investments at a loss, but they will be required to maintain all their capital within their investment portfolios. Buying and selling investments will continue to be permitted, providing the investor does not withdraw any capital. This change is intended to remove an unintended incentive for investors to invest in UK government bonds rather than to invest in UK companies.
- The restriction on investing in companies principally concerned with property investment, property development or property management is being amended slightly, for consistency with the Rules for the Tier 1 (Entrepreneur) category.
- Minor technical changes are being made to evidential requirements.

7.38. The Tier 1 (General) category, in which applicants scored points for their qualifications, previous earnings, age and UK experience, was closed to new applicants in April 2011. On 13 March 2014 the Government signalled its intention to close the category for extension applications in April 2015 and for indefinite leave to remain applications in April 2018. Changes are being made to close this category for extension applications as previously indicated.

Changes relating to Tier 2 of the Points-Based System

7.39. Tier 2 of the Points-Based System caters for migrant workers with an offer of a skilled job from a licensed employer. There are four overall categories: Intra-Company Transfer (ICT), General, Minister of Religion, and Sportsperson. The following changes are being made to Tier 2:

- Changes are being made to the Shortage Occupation List, following a partial review by the independent Migration Advisory Committee. Jobs on the list are exempt from the Resident Labour Market Test, are given higher priority within the Tier 2 (General) annual limit, and exempt the jobholder from the earnings threshold when they apply for indefinite leave to remain (although they must still be paid the appropriate rate for the occupation). There is one list covering the whole of the UK and an additional list for Scotland. The changes to the lists are as follows:

- changes to graduate occupations in the health sector for both the UK list and the additional Scotland list, including the addition of paramedics to the UK list;
 - changes to the existing entry on the UK list for overhead linesworkers in the energy industry; and
 - reclassification of some existing entries.
- The Government intends to implement further changes to the Shortage Occupation List recommended by the MAC, relating to graduate occupations in the digital technology sector, for recruits of scale-up companies, in the near future.
 - A further change is being made as a result of the Migration Advisory Committee’s review, to re-classify the occupation of paramedic as being skilled to National Qualifications Framework (NQF) level 6, rather than NQF level 4 as it was previously. This change enables employers to sponsor paramedics from overseas to fill vacancies for which no suitable resident workers are available.
 - Annual updates are being made to the annual minimum salary thresholds and appropriate salary rates for individual occupations (as set out in codes of practice). The updates to appropriate rates for occupations are based on the latest available salary data. The updates to salary thresholds are in line with changes in average weekly earnings for resident workers (a 1.2% annual increase based on the 12 months ending November 2014), rounded to the nearest £100. The appropriate salary rates also apply to settlement applications by work permit holders. The revised salary thresholds are as follows:

Category	Criteria	Current threshold	New threshold
Tier 2 (General)	Jobs which qualify for Tier 2 (General)	£20,500	£20,800
Tier 2 (General)	Jobs which are exempt from advertising in Jobcentre Plus (or JobCentre Online if the job is based in Northern Ireland)	£71,600	£72,500
Tier 2 (General)	Jobs which are exempt from the annual limit, 12-month cooling-off period and the Resident Labour Market Test	£153,500	£155,300
Tier 2 (Intra-Company Transfer)	Jobs which qualify for the Short Term Staff, Skills Transfer or Graduate Trainee categories (maximum stay either six months or one year)	£24,500	£24,800

Tier 2 (Intra-Company Transfer)	Jobs which qualify for the Long Term Staff category (maximum stay five years)	£41,000	£41,500
Tier 2 (Intra-Company Transfer)	Jobs which qualify for transfers of up to nine years and are exempt from the 12-month cooling-off period	£153,500	£155,300
Tier 2 (General) and Tier 2 (Sports-person)	Earnings which qualify for settlement (those working in PhD-level or shortage occupations are exempt)	£35,800 (for settlement applications made on or after 6th April 2019)	£36,200 (for settlement applications made on or after 6th April 2020)

- A small change is being made to the operation of the Tier 2 (General) annual limit. The limit begins in April each year, with places released monthly and unused places carried over from the previous month. No places are carried over when the limit resets in the following April. This, coupled with an identified trend of relatively high demand for places in April each year, means the pressure on the limit is greater at that point. The limit is therefore being rebalanced to increase the number of places available at the start of the limit year from 1,725 to 2,550. The overall size of the limit (20,700 places per year) remains unchanged, and unused places will continue to be carried over from previous months until the end of each limit year.
- A change is being made to the 12 month “cooling off period” which prevents applicants from being granted Tier 2 leave if they were in the UK with Tier 2 leave within the previous 12 months. This is designed to enforce rules on maximum periods of stay in Tier 2 and to ensure that Tier 2 Sponsors make genuine attempts to recruit resident workers. The change will mean the cooling off period will not apply to previous grants of Tier 2 leave of three months or less, improving flexibility for businesses who need to transfer key staff for very short periods, rather than to fill ongoing vacancies in the UK.
- Minor changes are being made to accommodate periods of familiarisation and training for nurses and midwives under the Nursing and Midwifery Council’s new registration procedures.
- Due to increased queries on these subjects, minor clarifications are being made to confirm:
 - that the settlement earnings threshold (see the last row in the table above) only applies at the time the application for indefinite leave to remain is made, not throughout the five-year qualifying period;
 - how the appropriate salary rates for new entrants and experienced workers in are applied; and

- for Tier 2 (Intra-Company Transfer) applicants who have worked for their Sponsor in the UK in another immigration category, how such work will be taken into account when assessing previous experience working for the Sponsor's organisation overseas.

Changes to Tier 4 Sponsors

7.40. Changes are being made to the terminology used to describe sponsor ratings in Tier 4. We have also removed references to the Tier 4 Interim Limit, which applied from April 2012 until July 2013, and to 'B-rated sponsors', as these are no longer used in Tier 4.

Changes to Tier 4 of the Points-Based System

7.41. Applicants for leave to enter or remain as a Tier 4 (General) Student must, if they will be studying a course (or undertaking a period of research) in one of the academic disciplines that is included in Appendix 6 of the Immigration Rules, hold an Academic Technology Approval Scheme clearance certificate from the counter-proliferation department of the Foreign and Commonwealth Office. The Rules are being amended to provide that applicants for leave to remain under Tier 4 on the Doctorate Extension Scheme who intend to pursue a period of study or research in one of the disciplines included in Appendix 6, are not required to apply for an ATAS clearance certificate if they already hold a valid certificate in respect of that specific course or research.

Changes to Tier 5 (Temporary Worker – Government Authorised Exchange)

7.42. Tier 5 of the Points-Based System caters for youth mobility and temporary workers coming for primarily non-economic purposes, and consists of two categories: Tier 5 (Youth Mobility Scheme) and Tier 5 (Temporary Workers). The Temporary Workers category consists of five sub-categories: Creative and Sporting, Charity Workers, Religious Workers, Government Authorised Exchange, and International Agreement. Applicants must have a Tier 5 Sponsor, which is usually their UK employer. The Government Authorised Exchange category enables people to come to the UK to share knowledge, skills and gain work experience through individual schemes which are administered by an overarching sponsor.

7.43. Under the Government Authorised Exchange category, we are amending the description of the "BOND Business Internships" scheme administered by the British Council to clarify that this work experience scheme is specifically aimed at building mutual links and connectivity between the UK and overseas partners in areas of industrial and technological innovation and cooperation. As with all Government Authorised Exchange schemes, the activities that participants undertake continue to be strictly supernumerary and skilled at level 3, or above, on the UK's National Qualifications Framework. National Minimum Wage legislation also applies.

7.44. We are removing the "UK-India Education and research Initiative" scheme as requested by the sponsor, the British Council, as the scheme is no longer in use.

Changes related to Overseas Domestic Workers and Tier 5 International Agreement workers employed as Domestic Workers in a Diplomatic Household

7.45. We are changing the Rules to make it a requirement that the caseworker be satisfied that the worker will be paid in accordance with the National Minimum Wage Regulations in leave to enter and leave to remain applications.

7.46. We are adding a requirement to prevent employers using an exemption in the National Minimum Wage Regulations that was designed for au pairs. This allows employers to decline to pay the Minimum Wage to those living as part of the family.

7.47. We are replacing the current template contract with a new, more detailed template that is compliant with employment law and that is designed to ensure that both employers and employees are aware of their rights and responsibilities and to aid caseworkers in assessing whether the agreed terms and conditions meet our requirements.

7.48. We are removing the separate template contract that was in use for Tier 5 Diplomatic Overseas Domestic Workers so that there is a common template for all Overseas Domestic Workers in both routes.

Changes relating to Withdrawn Applications

7.49. The Government is committed to ensuring the integrity and fairness of the decision making process in relation to asylum claims. The United Kingdom has a proud tradition of providing protection to those who qualify and to do that as efficiently and quickly as possible.

7.50. However, there are individuals who will abuse the asylum system in order to avoid the consequences of failing to leave the UK when they have no valid basis to remain. They seek to make an asylum claim solely as a means of avoiding or delaying the process of removing them to their country of origin. Their actions in failing to comply with the requirements of the asylum process clearly demonstrate a lack of intention in pursuing a genuine asylum claim or a willingness to assist the Secretary of State in establishing the basis upon which that claim has been made.

7.51. Where an applicant is requested to complete an asylum questionnaire or provide a witness statement setting out their reasons for their claim and they fail to do so or they leave the UK without informing the Secretary of State of their intentions, these claims will, from now on be treated as withdrawn. This represents a change in policy from the current approach of refusing such applications but the Government believes that by treating these claims as withdrawn and discontinuing any consideration accurately reflects the fact that the applicant never genuinely intended to make a legitimate claim for asylum. This clearly sets out the Government's commitment to ensuring that only legitimate asylum claimants are given protection under the Refugee Convention or the European Convention on Human Rights. This will allow caseworkers to deal effectively with those applicants whose behaviour demonstrates a serious commitment to making a claim for asylum.

7.52. In line with the provisions of the Directive, the claim will only be treated as implicitly withdrawn when the individual has failed to return a questionnaire or failed

to attend an interview without good reason or they have absconded or left the UK without informing the Secretary of State. In accordance with the existing policy relating to applicants who fail to attend an interview, the applicant will be sent a letter giving them five days in which to re-establish contact or explain the reason for their failure to return the questionnaire. If this is not responded to, the caseworker will check whether or not the individual is still at the accommodation provider or other residence that they are supposed to be at and, if not, will treat the claim as withdrawn.

Changes relating to Residence Permits

7.53. The requirement to issue a Residence Permit to persons granted asylum or humanitarian protection is required by Article 24 of Council Directive 2004/83/EC 2004 (“Qualification Directive”). The Directive requires that permits are granted for a minimum of not less than three years unless compelling reasons of national security or public order otherwise require. The current grant of five years was introduced in February 2005 and replaced the previous policy of granting immediate indefinite leave to remain.

7.54. The 1951 Refugee Convention allows signatory states to exclude persons from the protection of the Convention for reasons of national security or public order, where there are reasonable grounds for considering that the applicant is a danger to the security of the UK or having been convicted by a final judgment of a particularly serious crime, the applicant constitutes a danger to the community of the UK.

7.55. Refugees who cannot be refused because their behaviour or criminality is not serious enough to engage the exclusion criteria within the 1951 Refugee Convention cannot currently be refused a Residence Permit of five years. This change will enable us to differentiate the leave we grant to refugees and those with humanitarian protection so that in cases where we cannot exclude or deny asylum, we are able to grant a shorter period of leave with a slower route to settlement and nationality. Such cases will also be subject to active monitoring and review with a view to revocation or cessation of status in response to bad behaviour or a change in the country situation.

Changes relating to Settlement Protection Rules

7.56. The General Grounds for Refusal set out in Part 9 of the Immigration Rules cannot apply directly to applications made under Part 11 of the Rules. The intention when Paragraph 339R was drafted was to align the requirements for settlement with the General Grounds for Refusal but this did not include minor offences that the applicant admitted to, rather than being ‘convicted’, and received a non-custodial sentence or out of court disposal. Subsequent legal challenges have highlighted cases that we would like to delay settlement to but because the offender admitted to the offence, this was not legally possible. The minor change to sub-paragraph 339R(iii)(d) will allow us to delay settlement to those who have admitted a minor offence and ensures a consistent approach by fully aligning the requirements with the General Grounds for Refusal. Similarly, Part 11 included a time restriction on offences which could indicate ‘persistent offending’, this has been clarified to ensure

consistency with Part 9 rules, meaning that individuals who have caused serious harm or are persistent offenders can be refused settlement. This Rules change is the only way to apply the requirements to settlement cases decided under Part 11 of the Immigration Rules.

7.57. We are also adding a further qualifying criterion around character, conduct and associations. This is again in line with the General Grounds for Refusal and will permit the delay in settlement to those whose character, conduct (including criminal behaviour not covered in paragraphs 339R(iii)(a-e)) or associations, makes them undeserving of settlement in the UK. This will enable us to keep these cases, which include many who are demonstrating an escalation of criminality or extremist behaviour, under review. We will therefore be able to delay settlement to those whose behaviour falls short of the severity necessary for exclusion from the Refugee Convention.

7.58. We are also making a minor amendment to the requirements in paragraph 339R to enable those who entered the UK on the basis of Family Reunion to qualify for ILR on this route. This will provide clarity for customers as well as meeting our obligations under the 1951 Refugee Convention and the 2004 EU Directive on Qualification.

7.59. The following minor changes therefore, correct previous omissions in the rules but to avoid confusion by issuing multiple updates of forms and guidance, they are being made at the same time as the changes above:

- A minor change to paragraph 339R to allow those granted under the Family Reunion policy to qualify for settlement providing they meet the rest of the requirements.
- A minor change to paragraph 339R(iii)(d) to allow settlement to be delayed where the person has admitted an offence for which they have received a non-custodial sentence or other out of court disposal that is recorded on their criminal record. This change brings the definition into line with that in the General Grounds for Refusal.

Changes related to leave to enter or stay in the UK, and powers of curtailment

7.60. We are adding a power to allow caseworkers to require persons holding limited leave to enter or remain in the UK to show that they continue to meet the requirements of the Rules by providing evidence and / or attending an interview. This will enable us to curtail the leave of persons who no longer qualify to remain in the UK. Those failing to comply with such a request without a reasonable explanation may be liable to have their leave curtailed as a result.

Changes relating to Transit Concessions

7.61. The recent changes to our transit without visa (TWOV) arrangements (abolishing the previous TWOV concessionary arrangement and replacing it with a new rules-based provision which requires all visa nationals transiting the UK landside to hold a valid exemption document (or a UK visitor in transit visa)) have

inadvertently created a situation whereby certain low risk/high profile cohorts from a handful of countries are able to use a visit concession to travel to the UK for a visit without a visa, but can only transit the UK without a visa if they hold a valid exemption document. These visa-free visit concessions were granted to further bilateral relations with these countries and it would be unfortunate if tightening the TWOV arrangements impacted negatively on them. We are therefore amending the current visit concessions we offer to these cohorts to include transiting the UK. These cohorts do not pose an immigration, crime or security risk to the UK.

Changes relating to Administrative review

7.62. Administrative review will be available to correct case working errors in certain decisions where there is no right of appeal. Paragraph AR3.2 of Appendix AR of the Immigration Rules sets out which decisions on applications for leave to remain are eligible for administrative review. Administrative review has been available to correct case work errors in certain Tier 4 decisions since 20 October 2014. From 2 March 2015 it will be available for decisions on all Points Based System tiers where the application was made on or after that date. From 6 April 2015 administrative review will be available for all decisions on applications for leave to remain under the Immigration Rules subject to some exceptions detailed at paragraph 7.65 below. The staged roll out of administrative review mirrors the phased commencement of section 15 of the Immigration Act 2014.

7.63. In addition to correcting casework errors in decisions on applications for leave to remain, from 6 April 2015 administrative review will be available for certain decisions to cancel leave to enter at the border, and certain refusals of entry clearance overseas. Paragraph AR4.2 sets out when administrative review will be available when leave to enter is cancelled at the border. Paragraph AR4.3 confirms that where the cancellation decision is made overseas at a juxtaposed control in France or Belgium the application for administrative review must be made from overseas.

7.64. Paragraph AR5.2 sets out when administrative review is available to correct case work errors in a refusal of entry clearance. Administrative review has been available for refusal of entry clearance under the Points Based System since 2008³. This is now being extended to other refusals of entry clearance subject to some exceptions detailed below.

7.65. There are three categories of applicant who will not be entitled to an administrative review against refusal of entry clearance or a decision on an application for leave to remain:

- (i) Human Rights. Section 82 of the Nationality, Immigration and Asylum Act 2002 (as amended by the Immigration Act 2014) provides a right of appeal against a refusal of a human rights claim. Where there is a right of appeal, an appeal is the appropriate remedy rather than administrative review. A human rights claim under Article 8 of the ECHR is implied in applications made

³ The Points Based System was introduced on a phased basis overseas from 1 April 2008. Refusal of a Points Based System entry clearance application did not attract a full right of appeal because of section 4 of the Immigration, Asylum and Nationality Act 2006, brought into force from that date (SI 2008/310), and an administrative review (outside the Rules) was available in lieu of appeal.

under certain immigration rules listed in paragraphs AR3.2(c) and AR5.2(a). To ensure that there is clarity that consideration of human rights is only conducted under those rules listed, a consequential amendment has been made to paragraph 2. If a person wishes to make a human rights claim they must make an application under the relevant rule or otherwise make a claim outside the rules.

- (ii) Visitors and short term students. Persons refused entry clearance as a visitor or a short term student are expected to make a further application as a visitor, addressing the reasons for refusal, rather than applying for administrative review. A visit visa costs £83 which is approximately the same as an administrative review application.
- (iii) Persons given notice of liability for removal. Persons who require but do not have leave to enter or remain are liable for removal under section 10 of the Immigration and Asylum Act 1999 (as amended by the Immigration Act 2014). Under paragraph AR3.4 where someone has been given such notice they are expected to depart from the United Kingdom. Therefore if such persons submit further applications for leave to remain, they are excluded from administrative review of decisions made on those applications. This prevents spurious applications being used to create barriers to removal. If more than six months has elapsed since notice was given, then this exclusion lapses.

7.66. The definition of a case working error has been revamped to create a simpler definition that works irrespective of whether the error is in a leave to remain decision, an entry clearance decision or a decision to cancel leave to enter. It is intended that all matters within the former definition remain included in the new definition of a case working error in paragraph AR2.11. If there is a mistake in the decision it will be corrected, the outcome being one of those specified in AR2.2(a), (c) or (d).

7.67. Paragraphs 34L to 34Y of the Immigration Rules describe the procedure to make a valid application for administrative review. Various consequential amendments have been made to support the extension of administrative review to overseas entry clearance decisions as well as decisions to cancel leave to enter made at the border.

Changes relating to valid applications

7.68. The following change is being made to the Immigration Rules relating to valid applications:

- Specifying an original, valid passport, travel document or (unless the applicant is a Points Based System Migrant) national identity card as a requirement to make a valid application for leave to remain or indefinite leave to remain, unless the applicant is exempt (e.g. a stateless person or their family member applying for an initial period of leave to remain, or a refugee or person with humanitarian protection status applying for indefinite leave to remain) or has a good reason beyond their control for not providing the document (and may be required to provide an alternative).

Changes relating to family and private life

7.69. The following minor changes and clarifications are being made to the Immigration Rules relating to family and private life:

English language requirement for limited leave to enter or remain under Part 8, Appendix FM and Appendix Armed Forces:

- Confirming that an applicant must take their English language test at a test centre authorised by the Home Office. For more details see the section below on changes to English language tests.
- Clarifying that an applicant must submit an English language test within its validity date if that is required under Appendix O.
- Clarifying that the English language requirements in Appendix FM-SE apply to partners applying under Appendix Armed Forces who need to meet such requirements.

In respect of the financial requirements under Appendix FM, Appendix FM-SE and Appendix Armed Forces:

- Updating the list of specified benefits which cannot be counted under the minimum income threshold to include Universal Credit and reflect the introduction of council tax reduction or support (in place of council tax benefit) and the continuing rates system in Northern Ireland.
- Clarifying that bank statements evidencing payments of property rental income are only required for that part(s) of the period of 12 months prior to the date of application for which such income is relied upon.
- Clarifying that eligible maintenance payments to the applicant or sponsor from a former partner can be evidenced by bank statements in the name of the applicant, sponsor or both.
- Clarifying that the adequate maintenance requirement to be met by a child applicant whose parent is applying for or has leave as a parent under Appendix FM covers that parent and any other dependent children.

In respect of Appendix FM and the private life rules:

- Clarifying the approach to allowing extant leave (up to 28 days) to be added to a period of leave in applications made on the basis of family and private life.
- Providing that, under the 10-year partner, parent and private life routes, those applicants in the UK previously granted temporary admission or temporary release (and thereby deemed not to have “entered” the UK) be granted leave to enter rather than leave to remain if they meet the relevant requirements.
- Clarifying the basis on which the Secretary of State will decide whether or not to impose the condition of no recourse to public funds on a grant of leave to

remain under the 10-year partner, parent or private life routes or outside the rules on the basis of family or private life.

Changes relating to the armed forces Immigration Rules

7.70. The following minor changes, corrections and clarifications are being made to the Immigration Rules relating to armed forces:

- An amendment to paragraph 1(c) and (g) and the insertion of a definition at paragraph 2(ga) reflects the inclusion of other dependants in Part 10.
- Paragraph 2(i) is unnecessary and being deleted.
- References to NATO in paragraphs 2(b)(a), 61E(a)(i), 67 (a)(i) and (ii) are being changed to “a NATO force” to clarify that this expression applies to individual forces rather than the organisation.
- Changes to paragraph 8 and 9 will clarify that the suitability requirements apply to those seeking leave to enter where entry clearance is not mandatory.
- New paragraphs 20A and 34A and a consequential amendment to paragraph 2(f) reflects the fact that, where the partner began their probationary period within 2 years of the sponsor’s discharge, the sponsor may have been discharged more than 2 years ago when his or her partner subsequently applies for further leave under this Appendix.
- Numbering is being corrected in paragraph 43 and 47.
- An amendment to paragraph 66(f) clarifies that an applicant does not have to be under 18 years of age where their sponsor is their parent and they meet the rules in Part 10 as an “other dependant”.
- Missing references to leave to enter are being added to paragraphs 43(a)(ii), 45(a)(ii), and 53(b)(ii).
- Minor amendments are being made throughout the Appendix to ensure consistency in references to different types of leave.

Changes relating to tuberculosis screening

7.71. The UK has had a longstanding policy of screening new entrants from high incidence tuberculosis countries intending to remain for over six months. Screening has been conducted at some ports of entry and, since October 2005, pre-entry in some high incidence tuberculosis countries. On 21 May 2012 the Government announced its intention to expand upon the pre-entry screening programme to allow for more extensive screening. Entry clearance applicants intending to come to the UK for over six months from countries where pre-entry screening has been mandated are required to present a certificate from a designated screening provider confirming that screening has been conducted and that the applicant has been diagnosed as free from active pulmonary tuberculosis. Where tuberculosis is detected, the applicant will be required to undertake treatment and further screening before any entry clearance application can be made.

Changes to English language tests

7.72. Individuals applying for leave to enter or remain in the UK may be required to demonstrate an appropriate level of English. This includes individuals coming to

work, study or as a partner of a British citizen, or someone already settled here or under provisions relating to post-flight partners of refugees or those granted humanitarian protection, and parents applying under Appendix FM. The specific English language tests approved for this purpose are listed in Appendix O to the Immigration Rules. Following a tender exercise in 2014, new licences to operate English language tests are being issued and the list of approved tests in Appendix O has been amended accordingly.

7.73. The new Appendix O is implemented with effect from 6 April 2015 for all tests taken after that date. We are conscious that many individuals take the required English language test in advance of their immigration application and may therefore be taking a test before 6 April from one of the existing approved English language providers with the intention of using it in a subsequent application. We are therefore including transitional measures to allow individuals who took an English language test approved for immigration purposes before 6 April to use the result in support of an immigration application up to 6 November 2015, subject to meeting other requirements in respect of tests in the Immigration Rules. This seven month transitional period should be sufficient for an application to be made or alternative arrangements put in place for demonstrating the required English language ability.

7.74. As part of the tender exercise for inclusion in Appendix O, bidders were required to incorporate additional security features into their booking, administration and invigilation procedures. Full on line verification systems were also a requirement. It is therefore important that all tests taken for immigration purposes are taken at test centres where we and the test provider are confident that these security features are in place. Changes to the Immigration Rules and Appendix A, AF, B, FM and KoLL will now allow test results to be rejected if they have not been taken in an approved test centre. Approved test centres will be available in areas of demand throughout the world, including the UK, and details of all approved test centres will be published on GOV.UK. However, as details of centres, including addresses and contact details, are subject to change, possibly at short notice, it is not proposed to include these details in the Immigration Rules.

8. Consultation

8.1. The changes to the Shortage Occupation List for Tier 2 follow a report by the Migration Advisory Committee (MAC) published on 25 February 2015 on the GOV.UK website. The MAC issued a public call for evidence in carrying out its review, and details of its consultation are set out in the report.

8.2. There was consultation over the administrative review immigration rules as laid in October 2014. There has not been any further consultation since then.

8.3. The changes to the Withdrawn Applications policy have not been the subject of a formal public consultation because these are technical changes to ensure effective management of asylum claims.

8.4. As the changes to Residence Permits relate to criminality and security issues, they have not been the subject of a formal public consultation.

8.5. The governments of the affected countries are aware that the changes about Transit Concessions are being introduced.

8.6. The visitor proposals and Rules have been shared with a small group of technical experts who have shown strong support for the Immigration Rules for visitors to be clarified.

8.7. The other changes in this Statement have not been the subject of a formal public consultation, as this would be disproportionate given the minor nature of the changes.

9. Guidance

9.1. The online application form for submitting an administrative review application will provide guidance on how the application is to be made. Additionally there will be guidance for caseworkers on making administrative review decisions. This will be published on the GOV.UK website.

9.2. New visitors guidance will be placed on the UK Visas and Immigration page of GOV.UK website from 24 April 2015. We have worked closely with operational teams and will be providing further familiarisation material on the new Rules in advance of 24 April 2015.

9.3. Guidance on other rules changes will be updated and placed on the GOV.UK website.

10. Impact

10.1. The immigration rules on administrative review will have limited or no impact on business, charities, the public sector or voluntary bodies, such that an impact assessment is unnecessary.

11. Regulating small business

11.1. These changes will have limited or no impact on small businesses.

12. Monitoring and review

12.1. The review clauses at the beginning of this Statement of Changes require the Secretary of State to review the operation and effect of all of the relevant Immigration Rules, including any Rules amended or added by the changes in this Statement and lay a report before Parliament within five years of 6 April 2012 and within every five years after that. Following each review the Secretary of State will decide whether the relevant Immigration Rules should remain as they are, be revoked or be amended. A further Statement of Changes would be needed to revoke or amend the relevant Rules.

13. Contact

13.1. Queries should be directed to the Home Office as per the ‘Contact UKVI’ section on the visas and immigration pages of the GOV.UK website at <https://www.gov.uk/government/organisations/uk-visas-and-immigration>.

13.2. Specific written queries relating to this Statement of Changes should be directed to StatementofChanges@homeoffice.gsi.gov.uk. Please note that this mailbox is only for Parliamentary use and specific technical queries regarding the drafting of this Statement of Changes. It is not a contact point for general enquiries. Queries to this e-mail address from outside Parliament about other immigration issues, including how these changes affect applications, will not receive a response.

13.3. A copy of this Statement of Changes can be found on the visa and immigration pages of the GOV.UK website at <https://www.gov.uk/government/collections/immigration-rules-statement-of-changes>.