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# ***IMMIGRATION DIRECTORATES' INSTRUCTIONS{PRIVATE}***

## **CHAPTER 5 SECTION 13**

### **THE INTERNATIONAL GRADUATES SCHEME**

#### **1. BACKGROUND**

The Science and Engineering Graduate Scheme (SEGS) was launched in October 2004 with the aim of encouraging non-EEA nationals who graduate from UK further or higher education establishments in physical sciences, mathematics and engineering to pursue a career in the UK.

The Science and Engineering Graduate Scheme enabled those students who successfully obtained a recognised UK degree (with second class honours or above), Master's degree or PhD in an eligible subject to work without restriction in the UK for up to 12 months after completion of their studies.

For recognised UK degrees, the Department of Innovation, Universities and Skills (DIUS)(formerly the Department for Education and Skills (DfES)) drew up lists of eligible undergraduate courses, based on trends in numbers of UK students graduating. However, because these lists changed every year, it was not possible for UK Universities to tell potential students if they would be eligible for leave under the Science and Engineering Graduate Scheme by the time they had graduated. As a result the maximum potential benefit of the scheme to attract international students to study in the UK was not being realised.

In May 2006 the Science and Engineering Graduate Scheme was expanded so that those who commenced a Master's degree or PhD after 1 May 2006 were eligible to apply regardless of the subject they had studied.

On 1 May 2007, the Science and Engineering Graduate Scheme was replaced by **the International Graduates Scheme (IGS)**. Under the International Graduates Scheme, applicants who successfully complete either a recognised UK Bachelor's degree, Master's degree, PhD or equivalent or postgraduate certificate or postgraduate diploma in **any** subject on or after 1 May 2007 are eligible to apply for leave under the International Graduates Scheme.

The requirement for a minimum 2:2 classification for undergraduate degrees has been removed. Applicants who have obtained a postgraduate certificate or postgraduate diploma are also eligible to apply under the International Graduates Scheme.

## 2. ACADEMIC QUALIFICATION

**Below is guidance on the academic qualification necessary to qualify as an International Graduates Scheme participant (refer to paragraph 135O (i) of HC 395)**

### 2.1 General Requirements

In order to qualify as an International Graduates Scheme participant, applicants must have successfully obtained a recognised UK Bachelor's degree, Master's degree, PhD or equivalent, or postgraduate certificate or postgraduate diploma in any subject on or after 1 May 2007.

Applicants with postgraduate certificates and postgraduate diplomas, such as Postgraduate Certificates of Education (PGCEs) are now eligible to apply for leave under the International Graduates Scheme.

Other qualifications, including HNDs (Higher National Diplomas), or HNC (Higher National Certificates) will not make an applicant eligible for the International Graduates Scheme, nor will honorary degrees or Foundation Degrees.

Applicants who completed their degree course prior to 1 May 2007 will be considered against the requirements of the Science and Engineering Graduate Scheme. To qualify for leave under the Science and Engineering Graduate Scheme, applicants must be able to demonstrate that they have successfully obtained one of the following qualifications:

- A recognised UK degree (with second class honours or above), Master's degree, PhD or equivalent in a subject approved by the Department of Innovation, Universities and Skills (DIUS)(formerly the Department for Education and Skills (DfES)) for the purposes of the Science and Engineering Graduate Scheme, commenced prior to 1 May 2006 and completed before 1 May 2007 or,
- a Master's degree, M. Phil or D. Phil, PhD in any subject commenced on or after 1 May 2006 and completed before 1 May 2007.

Concessionary arrangements have been put in place for applicants who completed their Master's degree or PhD before 1 May 2007. See parts **3.2** and **3.3** of this guidance for further information.

For information on which recognised UK degrees, Master's degrees and PhDs (completed before 1 May 2007) are eligible, see **Part 12** of this guidance - this must be referred to when assessing relevant applications.

Normally an applicant must submit a genuine certificate confirming that he has been awarded the relevant qualification. However, where the applicant wishes to apply prior to receiving his certificate, he may instead include a letter from his personal tutor or another relevant official at the awarding institution. This must be an original letter (not a photocopy), bear the official stamp of the institution, and confirm that the applicant has successfully completed a relevant course.

In all cases the applicant should provide the contact details of his personal tutor, so that this academic record can be verified as necessary.

## 2.2 Recognised Qualification

Applicants applying for the International Graduates Scheme must have been awarded a qualification from a UK education institution which is a recognised or listed body.

Institutions which have been granted degree awarding powers by either a Royal Charter or an Act of Parliament are **recognised bodies**. All UK universities and some higher education colleges are recognised bodies. Other institutions, which do not have the power to award their own degrees, may provide courses which lead to a degree of a recognised body. These are known as **listed bodies**. Caseworkers should check that the institution which issued the qualification is either a recognised body or a listed body.

Further information on both recognised bodies and listed bodies can be found on the DfES website at:

<http://www.dfes.gov.uk/recognisedukdegrees/>

The list of **recognised bodies** is available here:

<http://www.dfes.gov.uk/recognisedukdegrees/index.cfm?fuseaction=institutes.list&InstituteCategoryID=1>

Details of the **listed bodies** is available here:

<http://www.dfes.gov.uk/recognisedukdegrees/index.cfm?fuseaction=institutes.list&InstituteCategoryID=2>

Note that the recognised bodies and listed bodies on the Department of Innovation, Universities and Skills (DIUS) website are also set out in Statutory Instruments (SIs). The SIs on the Department of Innovation, Universities and Skills (DIUS) website include the recognised and listed bodies for the UK, although the SI itself relates to England only.

For caseworkers to be certain that a degree course isn't recognised in the UK (having checked that the institution providing the course is not listed in the Recognised or Listed Bodies Orders), they will need to make further enquiries with the institution providing such a degree/degree course. Successful applicants to the International Graduates Scheme must have been awarded their qualification by a relevant UK institution. Therefore the awarding institution should be either a recognised body or a listed body in the UK. If it appears that a UK institution is awarding the qualification, but that most of the study takes place at a non-UK institution, caseworkers are recommended to confirm with the UK institution that they are awarding the qualification and also to check that they are listed in the relevant Statutory Instrument as a recognised body.

## 3. ELIGIBLE QUALIFICATION

**Below is guidance on the eligible qualifications necessary to qualify as an International Graduates Scheme participant (refer to paragraph 1350 (i) of HC 395).**

**3.1 Those who completed their recognised UK undergraduate degree before 1 May 2007.**

Applicants who completed their recognised UK undergraduate degree before 1 May 2007 will continue to need to demonstrate that they have studied in a shortage area, as shown in the list of eligible courses available in **Part 12** of this guidance. These applicants will also need to demonstrate that they have been awarded their degree with second class honours (2:2) or higher.

**3.2 Those who commenced their Master's degree or PhD before 1 May 2006 and completed it before 1 May 2007.**

As part of concessionary arrangements, applicants who commenced their Master's degree, PhD or equivalent before 1 May 2006 and successfully completed it before 1 May 2007 are to continue to qualify for leave. These applicants must demonstrate that they have studied in a shortage area, as shown in the list of eligible courses available in **Part 12** of this guidance, and will need to meet all the other requirements of the International Graduates Scheme rules.

**3.3 Those who commenced their Master's degree or PhD or equivalent on or after 1 May 2006 and completed it before 1 May 2007.**

As part of concessionary arrangements, applicants who commenced their Master's degree, PhD or equivalent on or after 1 May 2006 and completed it before 1 May 2007 qualify for leave regardless of the subject they have studied (provided that they also meet the other requirements of the International Graduates Scheme rules). There is no need for their subject to be in the lists of eligible courses.

**3.4 Those who complete their recognised UK undergraduate degree, Master's degree, PhD or equivalent, postgraduate certificate or postgraduate diploma on or after 1 May 2007.**

Applicants who complete their recognised UK Bachelor's degree, Master's degree, PhD or equivalent, postgraduate certificate or postgraduate diploma on or after 1 May 2007 will qualify for the International Graduates Scheme regardless of the subject they have studied (provided that they also meet the other requirements of the Immigration Rules). There is no need for their subject to be in the lists of eligible courses.

**Further information on the date of completion and commencement of studies can be found in Part 6 below.**

**4. INTENTION TO SEEK AND TAKE WORK IN THE UNITED KINGDOM.**

**Below is guidance on the requirement that International Graduates Scheme participants intend to seek and take employment in the United Kingdom (refer to paragraph 135O (ii) of HC 395).**

Paragraph 135O (ii) requires that a participant "intends to seek and take work during the period for which leave is granted in this capacity".

International Graduates Scheme participants can take up any type of employment (paid or unpaid), self employment or business. During their leave on the scheme they do not need to obtain a work permit or any other permission from the Home

Office for their employment, self-employment or business.

We do advise applicants to do some planning for how they are going to find employment or self employment if granted leave under the scheme. Some applicants may have a job offer arranged but this is not a requirement in order to be granted leave. Nor do applicants need to submit details of their planning to find employment or self employment in the United Kingdom.

If applicants have confirmed on the application form (for those applying in country) that they intend to seek and take employment in the United Kingdom during any leave granted under this scheme, then this will be sufficient to demonstrate that they meet the requirement of the Rules.

Similarly, those applying from overseas (where the application form does not have a specific question) can provide a signed statement confirming that they intend to seek and take work in the United Kingdom during their leave under the scheme. No further evidence is needed to show that this requirement is met.

## **5. MAINTENANCE AND ACCOMMODATION**

**Below is guidance on the requirement that International Graduates Scheme participants can maintain and accommodate themselves and any dependants adequately without recourse to public funds (refer to paragraph 1350 (iii) of HC 395).**

Applicants are required to show that they can maintain and accommodate themselves without recourse to public funds. They do not need to have a firm job offer, but can use leave granted under this scheme to seek work.

When assessing whether the applicant is able to maintain and accommodate himself in the United Kingdom while seeking employment, consideration should be given to all relevant factors such as cash resources and the level of planning they have undertaken to find employment. Those applicants who can demonstrate that they have a firm or tentative job offer or contract will require a smaller cash reserve as they will be able to start earning immediately.

The applicant should have already assessed their potential living costs. These should be reasonable and tie into past living expenses. It should be noted that successful applicants will have lived in the United Kingdom whilst studying. Therefore they should be aware of the funds they need to support themselves while seeking employment.

If the applicant is applying to bring any dependant family with them to the United Kingdom, the applicant must demonstrate that they are able to maintain and accommodate themselves and all their dependants here. Accommodation must be adequate. Further information on maintenance and accommodation of dependants, including legal occupation and overcrowding can be found **in Chapter 8, Section 1, Annex F** of these Instructions.

## **6. DATE OF COMPLETION AND COMMENCEMENT OF STUDIES**

**Below is guidance on the date of completion of studies (refer to paragraphs**

### **135O (i) and 135O (iv) of HC 395).**

Paragraph 135O (i) distinguishes between those who completed their course before 1 May 2007 and those who completed their course on or after 1 May 2007.

Paragraph 135O (iv) specifies that a successful applicant must have “completed his degree, Master’s degree, PhD or equivalent, postgraduate certificate or diploma in the last 12 months.” This means that students who wish to participate in the International Graduates Scheme have a year from the completion of their studies during which to apply for the scheme.

Students are normally granted sufficient leave as a student (under paragraphs 57 - 62 of the Immigration Rules) to complete their course, including submitting any relevant projects or pieces of research. In these cases, the date of completion of studies will be the date on which the student leave expired. In exceptional circumstances they may be granted further leave to remain in order to write-up their projects (under paragraphs 69G - 96L of HC 395). The date of their "completion of studies" is taken as the date that their leave as a student/leave to write up a project expires. Expiry of any leave granted to re-sit examinations (under paragraphs 69A - 69F of HC 395) can also count as "completion of studies" for the purposes of this paragraph.

For the purposes of paragraph 135O (i) and paragraph 135O (iv) the applicant may choose to submit:

1. The date when leave as a student (under paras 57 – 62 of the Immigration Rules) expires.
2. The date when leave to write-up a thesis (under paras 69G – 69L of the Immigration Rules) expires.
3. The date when leave to re-sit examinations (under paras 69A – 69F of the Immigration Rules) expires.
4. Written evidence from the educational establishment to confirm when the course was successfully completed.

The evidence of the date submitted to satisfy the two separate paragraphs does **not** have to be the same, and that which is most advantageous to the applicant should be used.

For example, applicants may submit written evidence from their educational establishment to satisfy paragraph 135O (iv) and may use the date of expiry of leave to demonstrate that they completed the course after 1 May 2007 (paragraph 135O (i)).

When educational institutions confirm the date of completion of studies, they should confirm the date when the student fulfilled all the requirements to successfully complete the course.

**Note:** The date of graduation should not be used to measure the date of completion of studies, since it was found to be unreliable under the Science and Engineering Graduates Scheme.

An applicant may have started another course subsequent to the course on which their International Graduates Scheme application is based. This is perfectly acceptable, provided that their leave as a student to complete the course on which the International Graduates Scheme application is based expired in the last 12 months.



**Note:** In this case, it is irrelevant whether the applicant has finished the subsequent course or not (unless it appears that they will be studying full-time during their leave under International Graduates Scheme and do not intend to seek and take work).

#### **Guidance on the date of commencement of studies:**

The commencement date of Master's degrees and PhDs will be shown by written evidence from the educational establishment to confirm when the course was commenced. Applicants who provide written evidence from their educational establishment which shows that they commenced their Master's degree or PhD on or after 1 May 2006 and successfully completed it will qualify for the International Graduates Scheme regardless of the subject they have studied.

### **7. PREVIOUS PERIODS OF LEAVE**

**Below is guidance on the previous periods of leave (refer to paragraph 1350 (v) and 135R (iii) of HC 395).**

The maximum period of leave that can be granted under the International Graduates Scheme is 12 months.

All periods of leave granted as a Science and Engineering Graduate Scheme participant or an International Graduates Scheme participant must be amalgamated when considering how much leave an applicant qualifies for.

This means that an applicant can be granted 12 months of leave as an International Graduates Scheme participant and subsequently a fresh period of leave as a student. However, even if they meet all the other requirements of the International Graduates Scheme they will not be eligible for any further leave under the International Graduates Scheme because they have already been granted the maximum possible leave in this category.

The maximum period of leave is 12 months from the date of the first grant of leave as a Science and Engineering Graduates Scheme or International Graduates Scheme participant, and 12 months is the maximum period of leave that can be granted under the scheme. If a participant leaves the United Kingdom during their leave as a International Graduates Scheme participant, or otherwise spends time not working (because of ill health or any other reason), this period will still count towards the maximum period of leave available.

### **8. INTENTION TO LEAVE THE UNITED KINGDOM**

**Below is guidance on where International Graduates Scheme participants must intend to leave the United Kingdom (refer to paragraph 1350 (vi) of HC 395).**

Leave granted under the International Graduates Scheme does not lead to settlement. However, the Immigration Rules do enable International Graduates Scheme participants to switch into the following categories of leave in the United Kingdom:

- Work permit employment, in accordance with paragraphs 128 – 135 of the Immigration Rules.

- The Highly Skilled Migrant Programme, in accordance with paragraphs 135A – 135H of the Immigration Rules.
- Persons intending to establish themselves in business, in accordance with paragraphs 200 – 210.
- Innovator, in accordance with paragraphs 210A – 210H of the Immigration Rules.

International Graduates Scheme participants may switch into one of these four categories of leave at any time during their stay in the United Kingdom.

They can also switch into leave under the Fresh Talent: Working in Scotland Scheme (in accordance with paragraphs 143A – 143F of the Immigration Rules) if they meet the relevant requirements. This is not a permanent migration route, and the applicant would then need to switch into one of the four categories listed above if they wanted to pursue their career in the United Kingdom in the long term. Further information on the Fresh Talent: Working in Scotland Scheme is available in **Chapter 5, Section 14** of these Instructions.

## **9. CONSENT OF SPONSOR**

**Below is guidance on the requirement that International Graduates Scheme participants have the consent of their sponsor to switch into this scheme (refer to paragraph 135O (vii) of HC 395).**

If the applicant's studies have been sponsored by a government, the European Union or an international scholarship agency the consent of that sponsor **must** be submitted for the applicant to become an International Graduates Scheme participant.

If a relevant sponsor consents to the applicant participating in the International Graduates Scheme, but only for a limited time, then leave should be granted in line with the consent. Fresh consent should be submitted if the applicant subsequently applies for an extension of stay in this category.

Consent will need to be obtained if an International Graduates Scheme participant applies to switch into a category of leave which leads to settlement. This is to ensure that leave is granted in line with the consent of the relevant sponsor. The sponsor may be content for the applicant to gain work experience in the United Kingdom but not to work here permanently, as the studies may have been sponsored with the express purpose that the individual gains skills which they can use overseas. A fresh consent letter will not be necessary for switching applications where the relevant sponsor has initially given their express consent for the applicant to switch in the International Graduates Scheme and for any subsequent applications to remain in the United Kingdom.

## **10. SWITCHING INTO THE INTERNATIONAL GRADUATES SCHEME.**

**Below is guidance on who is eligible to switch in to leave as an International Graduates Scheme participant from within the United Kingdom (refer to paragraph 135R (ii) of HC 395).**

The aim of the scheme is to enable those who qualify for leave as an International

Graduates Scheme participant to remain in the United Kingdom for up to a year following successful completion of their studies. However it is not possible to switch into the scheme from any other category except where the individual in question has **valid** entry clearance, leave to enter or leave to remain as a student under paragraphs 57 – 69L of the Immigration Rules. This means those in the United Kingdom with valid leave as:

- a student (paragraphs 57 – 62)
- a student nurse (paragraphs 63 –69)
- To re-sit examinations (paragraphs 69A – 69F)
- To write up a thesis (paragraphs 69G – 69L)

An application for a person with leave in any other category to remain as a participant in the International Graduates Scheme should be refused as the requirements of paragraph 135R (ii) are not met.

Note: An applicant must have valid leave at the time of making an application. Any out of time applications for leave under the International Graduates Scheme should be refused on the basis that the applicant does not have leave as a Student, Science and Engineering Graduate Scheme participant or an International Graduate Scheme participant and therefore does not meet the requirements of paragraph 135R (ii).

## **11. SETTLEMENT**

The International Graduates Scheme is not a category which leads to settlement. There are no provisions for participants to be granted settlement on the basis of the scheme, although it may of course be granted if applicants qualify under another category of the Rules or under a concession.

If participants in the International Graduates Scheme switch into an employment or self-employment category (i.e. work permit employment, the Highly Skilled Migrant Programme, Innovators or persons intending to establish themselves in business) and subsequently apply for settlement, the time they spent as a participant in this scheme will **not** count towards the period of leave in an employment or self-employment category required for settlement. This will be the case regardless of what employment or self-employment the individual has carried out during their leave as a participant in the International Graduates Scheme.

## **12. LIST OF ELIGIBLE COURSES**

**Below is the list of eligible courses for the International Graduates Scheme as defined in the Joint Academic Coding System (JACS).**

Guidance on how to determine the date applicants receive their results is contained elsewhere in part 8 of this guidance and **must** be referred to when assessing applications.

Programmes are identified by their JACS Principle Subject codes and subjects are eligible if they have the same letter and first digit as a programme on the relevant list (e.g. Principal Subject H100 General Engineering includes H121 Fire Safety Engineering).

Eligibility is limited to first-degree programmes. If the programme is categorised as “Other Undergraduate” it is not eligible regardless of the subject of the programme. The “Other Undergraduate” category includes Higher National Certificates (HNC) Higher National Diplomas (HND), Diplomas in Higher Education (DipHE) and Foundation Degrees.

Notes on the list of eligible courses are available elsewhere in this guidance and **must** be read in conjunction with this list, as **must** the guidance on the academic qualification.

### 12.1 First Degree Programmes

A9	Others in Medicine and Dentistry
B5	Ophthalmics
B9	Others in Subjects allied to Medicine
C1	Biology
C4	Genetics
C5	Microbiology
C7	Molecular Biology, Biophysics and Biochemistry
C9	Others in Biological Sciences
D2	Clinical Veterinary Medicine and Dentistry
D4	Agriculture
F1	Chemistry
F2	Materials Science
F3	Physics
F5	Astronomy
F6	Geology
F7	Ocean Sciences
F8	Physical and Terrestrial Geographical and Environmental Sciences
F9	Others in Physical Sciences
G1	Mathematics
G2	Operational Research
G3	Statistics
G4	Computer Science
G7	Artificial Intelligence
H3	Mechanical Engineering
H5	Naval Architecture
H6	Electronic and Electrical Engineering
H7	Production and Manufacturing Engineering
H8	Chemical, Process and Energy Engineering
J4	Polymers and Textiles
J6	Maritime Technology
J7	Industrial Biotechnology
K2	Building
K3	Landscape Design
K4	Planning (Urban, Rural and Regional)
K9	Others in Architecture, Building and Planning

### 12.2 Master’s Degrees (including integrated Masters)

**Note:** this list does not apply to those who commenced their Master’s course on or after 1 May 2006. Master’s courses commenced on or after 1 May 2006 can be in

**any subject, in any field.**

A4	Clinical Dentistry
A9	Others in Medicine and Dentistry
B2	Pharmacology, Toxicology and Pharmacy
B5	Ophthalmics
B9	Others in Subjects allied to Medicine
C1	Biology
C2	Botany
C4	Genetics
D2	Clinical Veterinary Medicine and Dentistry
D3	Animal Science
D4	Agriculture
D5	Forestry
F1	Chemistry
F3	Physics
F5	Astronomy
F6	Geology
F9	Others in Physical Sciences
G1	Mathematics
G3	Statistics
G4	Computer Science
G5	Information Systems
G6	Software Engineering
G9	Others in Mathematical and Computing Sciences
H1	General Engineering
H3	Mechanical Engineering
H5	Naval Architecture
H8	Chemical, Process and Energy Engineering
H9	Others in Engineering
J3	Ceramics and Glasses
J4	Polymers and Textiles
J5	Materials Technology not otherwise specified
J7	Industrial Biotechnology
J9	Others in Technology

### **12.3 PhDs ( Also called DPhils by some universities )**

**Note:** this list does not apply to those who commenced their PhD course on or after 1 May 2006. PhD courses commenced on or after 1 May 2006 can be **in any subject, in any field.**

A1	Pre-clinical Medicine
A2	Pre-clinical Dentistry
A4	Clinical Dentistry
B0	Bal com – Allied to Medicine
B1	Anatomy, Physiology and Pathology
B2	Pharmacology, Toxicology and Pharmacy
B4	Nutrition
B6	Aural and Oral Sciences
B8	Medical Technology
C1	Biology

C3	Zoology
C4	Genetics
C5	Microbiology
C8	Psychology
D2	Clinical Veterinary Medicine and Dentistry
D7	Agricultural Sciences
D9	Others in Veterinary Sciences, Agriculture and related subjects
F3	Physics
F4	Forensic and Archaeological Science
F8	Physical and Terrestrial Geographical and Environmental Sciences
F9	Others in Physical Sciences
G1	Mathematics
H2	Civil Engineering
H3	Mechanical Engineering
H6	Electronic and Electrical Engineering
J1	Minerals Technology
J3	Ceramics and Glasses
J4	Polymers and Textiles
J5	Materials Technology not otherwise specified
J6	Maritime Technology
J9	Others in Technology
K2	Building
K3	Landscape Design
K9	Others in Architecture, Building and Planning

### 13. NOTES ON THE LIST OF ELIGIBLE COURSES

Below are notes on the list of eligible courses. Caseworkers **must** read these notes in conjunction with the list when assessing applications.

The questions covered are:

- How is the list compiled?
- How do I know if the qualification is eligible?
- What if the programme covers more than one subject or is broadly based?
- What if the qualification is a BEd?

#### 13.1 How is the list compiled?

The Department of Innovation, Universities and Skills (DIUS)(formerly the Department for Education and Skills (DfES)) has created the list of eligible science and engineering subjects. The list focuses on the subjects and skills that the Roberts Review identified as being in short supply. The list includes programmes where the trend in UK students qualifying in the programme is under the average for all programmes at that level. This means in broad terms, that students qualify under SEGS if they are graduating in a science subject where the supply in UK graduates is falling.

#### 13.2 How do I know if the qualification is eligible?

Those who completed their recognised UK Bachelor's degree prior to 1 May 2007

and those who commenced their Master's degree and PhD or equivalent prior to 1 May 2006 and completed it prior to 1 May 2007 will only be eligible to apply for leave under the International Graduate Scheme if they have studied a programme from the list of approved subjects in **Part 12** of this guidance. Approved subjects are identified by their Joint Academic Coding System (JACS) code. This system, developed jointly by the Universities and Colleges Admissions Service (UCAS, [www.ucas.ac.uk](http://www.ucas.ac.uk)) and the Higher Education Statistics Agency (HESA [www.hesa.ac.uk](http://www.hesa.ac.uk)), is now used by institutions providing HE programmes, and by the Teaching Quality Information website ([www.tqi.ac.uk](http://www.tqi.ac.uk)).

Applicants will need to provide evidence of their course's JACS code. The JACS code must be the code for the qualification awarded, as this may change during the period of studies. Information on how to demonstrate this requirement is available in **Part 12** of this guidance. Course eligibility can be checked by looking the JACS code up in the list of eligible subjects.

### **13.3 What if the programme covers more than one subject or is broadly based?**

Many degree programmes cover more than one subject, including those known as "Joint Honours". The Higher Education Statistics Agency (HESA) recognises four possible patterns:

- Single subject
- Balanced two-subject combination
- Major/minor two-subject combination
- Balanced three-subject combination

The institution reports the student's programme to HESA according to the pattern that best matches it, and the match might not be exact. For example, if the second subject is a very small component, the programme is reported as single-subject, and the test for eligibility is based on that subject.

A balanced two-subject programme is eligible if one of the components is eligible, or if both are.

A major/minor programme is eligible if the major component is eligible, or if both are.

A balanced three-subject programme is eligible if two of the components are eligible, or if all three are.

Some programmes are broadly-based within a subject group and have a "generic JACS code" such as F000 for Physical Sciences or H000 for Engineering. If the programme is coded in this way as a whole, then the application for the scheme must be accompanied by an official letter from the institution certifying that at least half of the material covered by the programme is eligible. The same applies if either of these two-generic codes is used for one or more components of a combination programme, unless the coding of other components already establishes eligibility

### **13.4 What if the qualification is a BEd?**

Integrated undergraduate programmes leading to Qualified Teacher status commonly last four years and lead to the Bachelor of Education (BEd) degree. Such

programmes are regarded as comprising one half teacher training – which is not eligible for the scheme – and one half subject content. If the whole of the subject is eligible then the programme is eligible. The subject content may lie within a single JACS Principle Subject that is eligible, or may be split across more than one eligible Principle Subject.

#### **13.4 What if the qualification is a Foundation Degree?**

For the purposes of the International Graduate Scheme, Foundation Degrees are not acceptable.

### **14. IMMIGRATION RULES - PARAGRAPHS 135O - 135T**

#### **Requirements for leave to enter as a participant in the International Graduates Scheme**

135O. The requirements to be met by a person seeking leave to enter as a participant in the International Graduates Scheme are that he:

- (i) has successfully completed and obtained either:
  - (a) a recognised UK degree (with second class honours or above) in a subject approved by the Department for Education and Skills (DfES) for the purposes of the Science and Engineering Graduates scheme, completed before 1 May 2007; or
  - (b) a recognised UK degree, Master's degree, PhD or equivalent in any subject completed on or after 1 May 2007; or
  - (c) a postgraduate certificate or postgraduate diploma in any subject completed on or after 1 May 2007;  
at a UK education institution which is a recognised or listed body.
- (ii) intends to seek and take work during the period for which leave is granted in this capacity;
- (iii) can maintain and accommodate himself and any dependants without recourse to public funds;
- (iv) completed his Bachelor's degree, Master's degree, PhD or postgraduate certificate or diploma, in the last 12 months;
- (v) if he has previously spent time in the UK as a participant in the Science and Engineering Graduates Scheme or International Graduates Scheme, is not seeking leave to enter to a date beyond 12 months from the date he was first given leave to enter or remain under the Science and Engineering Graduates Scheme or the International Graduates Scheme;
- (vi) intends to leave the United Kingdom if, on expiry of his leave under this scheme, he has not been granted leave to remain in the United Kingdom in accordance with paragraphs 57-62, 128-135H or 200-210H of these Rules;
- (vii) has the written consent of his official sponsor to enter or remain in the United Kingdom under the Science and Engineering Graduates Scheme or International Graduates Scheme if his approved studies, or any studies he has subsequently undertaken, were sponsored by a government, European Union or international scholarship agency; and



(viii) holds a valid entry clearance for entry in this capacity except where he is a British National (Overseas), a British overseas territories citizen, a British Overseas citizen, a British protected person or a person who under the British Nationality Act 1981 is a British subject.

#### **Leave to enter as a participant in the International Graduates Scheme**

135P. A person seeking leave to enter the United Kingdom as a participant in the International Graduates Scheme may be admitted for a period not exceeding 12 months provided he is able to produce to the Immigration Officer, on arrival, a valid United Kingdom entry clearance for entry in this capacity.

#### **Refusal of leave to enter as a participant in the International Graduates Scheme**

135Q. Leave to enter as a participant in the International Graduates Scheme is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 135O is met.

#### **Requirements for leave to remain as a participant in the International Graduates Scheme**

135R. The requirements to be met by a person seeking leave to remain as a participant in the International Graduates Scheme are that he:

- (i) meets the requirements of paragraph 135O(i) to (vii); and
- (ii) has leave to enter or remain as a student or as a participant in the Science and Engineering Graduates Scheme or International Graduates Scheme in accordance with paragraphs 57 - 69L or 135O -135T of these Rules;
- (iii) would not, as a result of an extension of stay, remain in the United Kingdom as a participant in the International Graduates Scheme to a date beyond 12 months from the date on which he was first given leave to enter or remain in this capacity or under the Science and Engineering Graduates Scheme.

#### **Leave to remain as a participant in the International Graduates Scheme**

135S. Leave to remain as a participant in the International Graduates Scheme may be granted if the Secretary of State is satisfied that the applicant meets each of the requirements of paragraph 135R.

#### **Refusal of leave to remain as a participant in the International Graduates Scheme**

135T. Leave to remain as a participant in the International Graduates Scheme is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 135R is met.

### **15. GRANT PERIODS**

Leave can be granted as an International Graduates Scheme participant when **all** the requirements of paragraph 135O (leave to enter) or 135R (extension of stay) of the Immigration Rules or the concessionary arrangements in this IDI are met. The

Immigration Rules and associated guidance must be referred to when considering applications. Provided that none of the general grounds for refusal set out in **Chapter 9** of these Instructions apply, leave may be granted as set out in the table below.

Those seeking to enter the United Kingdom on the basis of leave to enter previously granted as an entry clearance should be admitted unless there are grounds of cancellation under 321A of the Immigration Rules.

Leave should be granted on **Code 1**. The indecs code for after entry grants under the International Graduates Scheme is **F6** "Permit Free Employment - Extension other employment".

In this table the International Graduates Scheme is referred to as IGS and the Science and Engineering Graduate Scheme is referred to as SEGS.

<b>Stage</b>	<b>Applicant</b>	<b>Grant of Leave</b>	<b>Notes</b>
Entry Clearance	Never been granted leave under IGS or SEGS	12 Months	
On Entry	British National (Overseas), a British overseas territories citizen, a British Overseas citizen, a British protected person or a person who under the British Nationality Act 1981 is a British subject	6 Months	Entry Clearance is mandatory for all others
After Entry	Has valid leave as a student. Never been granted leave under IGS or SEGS	12 months from date of decision	
After Entry	Has valid leave under IGS or SEGS, initially granted for less than 12 months	Up to 12 months of leave in total as a IGS or SEGS participant	

Foreign nationals aged 16 and over, who are required to register under the Police Registration Scheme, should be required to register with the police if they are being granted leave to enter for longer than six months or leave to remain which will mean their stay in the United Kingdom will exceed six months. Further advice on Police registration can be found in **Chapter 10** of these Instructions.

## 16. REFUSAL GUIDANCE - ENTRY CLEARANCE

The requirements to be met by a person seeking to enter the United Kingdom as an International Graduates Scheme participant are set out in paragraph 135O of HC 395. Entry clearance should be refused if **all** the requirements of paragraph 135O are not met.

Paragraph 320 of the Immigration Rules sets out the general grounds on which entry clearance can be refused. Further guidance on refusing entry clearance can be found in **Chapter 9, Section 2** of these Instructions. This guidance and the relevant Rules **must** be referred to when considering refusing entry clearance.

### 16.1 Refusal Wordings

The following are examples of refusal wordings. Caseworkers should note that this is **not** an exhaustive list of all possible refusal formulae.

- You have applied for entry clearance to enter the United Kingdom as an International Graduates Scheme participant but your application has been refused.

**Undergraduate degree completed prior to 1 May 2007 is not on the relevant list of eligible courses approved for the scheme.**

In view of the fact that the JACS course code for your degree is [...] and you received your results on [...] the Secretary of State is not satisfied that your degree course was on the list of courses approved by the Department of Innovation, Universities and Skills (DIUS) (formerly the Department for Education and Skills (DfES) for the purpose of the Scheme at the time at which you received your results.

**Paragraph 135Q with reference to 135O (i)**

**Applicants UK recognised undergraduate degree completed prior to 1 May 2007 is not a second class honours degree or above.**

In view of the fact that you have been awarded a [...] class degree the Secretary of State is not satisfied that you have obtained a second class honours degree or above in a subject approved by the Department of Innovation, Universities and Skills (DIUS) (formerly the Department for Education and Skills (DfES) for the purpose of the Scheme at the time at which you received your results.

**Paragraph 135Q with reference to 135O (i)**

**Applicants has not successfully obtained a recognised UK degree, Master's degree, PhD or postgraduate certificate or postgraduate diploma in any subject completed on or after 1 May 2007.**

In view of the fact that [...] the Secretary of State is not satisfied that you have successfully obtained a recognised UK degree, Master's degree, PhD or equivalent, or postgraduate certificate or postgraduate diploma in any subject completed on or after 1 May 2007.

**Paragraph 135Q with reference to 135O (i)**

**Qualification is not UK recognised**

In view of the fact that [...] the Secretary of State is not satisfied that your undergraduate degree, Master's degree, PhD or equivalent, postgraduate certificate or postgraduate diploma, was obtained from a UK education institution which is a recognised or listed body.

**Paragraph 135Q with reference to 135O (i)**

**Applicant does not intend to seek and take work in the UK during their leave.**

In view of the fact that [...] the Secretary of State is not satisfied that you intend to seek and take work in the UK during any period of leave granted as a International Graduates Scheme participant.

**Paragraph 135Q with reference to 135O (ii)**

**Applicant is not able to maintain and accommodate themselves and any dependants without recourse to public funds**

In view of the fact that [...] the Secretary of State is not satisfied that you will be able to maintain and accommodate yourself and any dependants adequately without recourse to public funds.

**Paragraph 135Q with reference to 135O (iii)**

**Applicant did not complete their UK degree, Master's degree, PhD, postgraduate certificate or postgraduate diploma in the last 12 months.**

In view of the fact that [...] the Secretary of State is not satisfied that you completed your undergraduate degree, Master's degree, PhD or equivalent, postgraduate certificate or postgraduate diploma in the last 12 months, as shown by the date of expiry of your leave as a student to complete your eligible course.

**Paragraph 135Q with reference to 135O (iv)**

**Applicant is seeking leave beyond 12 months after he was first granted leave as a Science and Engineering Graduate Scheme participant or an International Graduates Scheme participant**

In view of the fact that [...] the Secretary of State has reason to believe that you are seeking leave to enter to a date beyond 12 months from the date you were first granted leave as a Science and Engineering Graduate Scheme participant or an International Graduates Scheme participant.

**Paragraph 135Q with reference to 135O (v)**

**Applicant does not intend to leave the United Kingdom**

In view of the fact that [...] the Secretary of State is not satisfied that you intend to leave the UK at the end of your stay under the International Graduates Scheme if you were not granted leave under paragraphs 57-62, 128-135H or 200-210H of these Rules.

**Paragraph 135Q with reference to 135O (vi)**

**Applicant does not have the consent of their sponsor**

Your studies have been sponsored by a government, European Union or international scholarship agency. In view of the fact that [...] the Secretary of State is not satisfied that you have the consent of your sponsor to enter the UK as an International Graduates Scheme participant.

**Paragraph 135Q with reference to paragraph 135O (vii)**

## 17. REFUSAL GUIDANCE - ON ENTRY

The requirements to be met by a person seeking to enter the UK as an International Graduates Scheme participant are set out in paragraph 135O of HC 395. Entry clearance should be refused if **all** the requirements of paragraph 135O are not met.

Where a passenger seeking entry in this capacity does not hold a valid United Kingdom entry clearance or visa, he should be refused entry under paragraph 135Q with reference to 135O (viii) of HC 395 (unless he is a British National (Overseas), a British overseas territories citizen, a British Overseas citizen, a British protected person or a person who under the British Nationality Act 1981 is a British subject).

Where a passenger seeking entry in this capacity holds an entry clearance for this purpose, cancellation may only be considered under paragraph 321A of HC 395. This includes cases where entry clearance was obtained as a result of false information or failure to disclose material facts, or circumstances have changed since the entry clearance was granted. It also includes cases where refusal is justified on medical grounds or on the ground that exclusion would be conducive to the public good. Where cancellation of leave is being considered, the relevant paragraphs of the Immigration Rules and **Chapter 9 Section 3A** of these Instructions **must** be referred to.

In the case of a person returning to the United Kingdom from a temporary absence abroad, within a period for which he was previously given leave, reference **must** be made, before refusal, to **Chapter 1, Section 9**, "Persons returning to resume previous leave".

### 17.1 Refusal Wordings

The following is an example of a refusal wording. Caseworkers should note that this is **not** an exhaustive list of all possible refusal formulae.

- You have applied for leave to enter the United Kingdom as an International Graduates Scheme participant.....

**No entry clearance**

.... but under the Immigration Rules you are required to have a valid entry clearance for this purpose and you have no such entry clearance

**Paragraph 135Q with reference to 135O (viii)**

## 18. REFUSAL GUIDANCE - EXTENSION OF STAY

The requirements to be met by a person seeking an extension of stay as an International Graduates Scheme participant are set out in paragraph 135R of HC 395.

Paragraph 322 of the Immigration Rules sets out general grounds for refusing any application for leave to remain. This includes cases where the applicant has made

false declarations to obtain their previous period of leave or has failed to comply with the conditions of their previous leave. Where refusal is being considered for any of these reasons, **paragraph 322** of the Immigration Rules and **Chapter 9, Section 4** of these instructions **must** be referred to.

**Chapter 9, Section 1 "Adverse decisions - General guidance"** provides important advice about the decision making process and should be consulted whenever an application falls to be refused.

### **18.1 Refusal Wordings**

The following are examples of refusal wordings. Caseworkers should note that this is **not** an exhaustive list of all possible refusal formulae.

Details of Appeal rights can be found in Chapter 12 of these Instructions.

- You have applied for an extension of stay in the United Kingdom as an International Graduates Scheme participant but your application had been refused.

**Undergraduate degree completed prior to 1 May 2007 is not on the relevant list of eligible courses approved for the scheme.**

In view of the fact that the JACS course code for your degree is [...] and you received your results on [...] the Secretary of State is not satisfied that your degree course was on the list of courses approved by the Department of Innovation, Universities and Skills (DIUS) (formerly the Department for Education and Skills (DfES)) for the purpose of the Scheme at the time at which you received your results.

**Paragraph 135T with reference to 135R (i) and 135O (i)**

**Applicant's UK recognised undergraduate degree completed prior to 1 May 2007 is not a second class honours degree or above.**

In view of the fact that you have been awarded a [...] class degree] the Secretary of State is not satisfied that you have obtained a second class honours degree or above in a subject approved by the Department for Education and Skills for the purpose of the Scheme at the time at which you received your results.

**Paragraph 135T with reference to 135R (i) and 135O (i)**

**Applicant has not successfully obtained a recognised UK degree, Master's degree, PhD or equivalent or postgraduate certificate or postgraduate diploma in any subject completed on or after 1 May 2007.**

In view of the fact that [...] the Secretary of State is not satisfied that you have successfully obtained a recognised UK degree, Master's degree, PhD or equivalent or postgraduate certificate or postgraduate diploma in any subject completed on or after 1 May 2007.

**Paragraph 135T with reference to 135R (i) and 135O (i)**

**Qualification is not UK recognised**

In view of the fact that [...] the Secretary of State is not satisfied that your undergraduate degree, Master's degree, PhD or equivalent, postgraduate certificate or postgraduate diploma, was obtained from a UK education institution which is a recognised or listed body.

**Paragraph 135T with reference to 135R (i) and 135O (i)**

**Applicant does not intend to seek and take work in the UK during their leave.**

In view of the fact that [...] the Secretary of State is not satisfied that you intend to seek and take work in the UK during any period of leave granted as a International Graduates Scheme participant.

**Paragraph 135T with reference to 135R (i) and 135O (ii)**

**Applicant is not able to maintain and accommodate themselves and any dependants without recourse to public funds**

In view of the fact that [...] the Secretary of State is not satisfied that you will be able to maintain and accommodate yourself and any dependants adequately without recourse to public funds.

**Paragraph 135T with reference to 135R (i) and 135O (iii)**

**Applicant did not complete their UK degree, Master's degree, PhD, postgraduate certificate or postgraduate diploma in the last 12 months.**

In view of the fact that [...] the Secretary of State is not satisfied that you completed you undergraduate degree, Master's degree, PhD or equivalent, postgraduate certificate or postgraduate diploma in the last 12 months, as shown by the date of expiry or your leave as a student to complete your eligible course.

**Paragraph 135T with reference to 135R (i) and 135O (iv)**

**Applicant is seeking leave beyond 12 months after he was first granted leave as a Science and Engineering Graduate Scheme participant or an International Graduates Scheme participant**

In view of the fact that [...] the Secretary of State has reason to believe that you are seeking leave to remain beyond 12 months from the date you were first granted leave as a Science and Engineering Graduate Scheme participant or an International Graduates Scheme participant.

**Paragraph 135T with reference to 135R (i) and 135O (v)**

**Applicant does not intend to leave the United Kingdom**

In view of the fact that [...] the Secretary of State is not satisfied that you intend to leave the UK at the end of your stay under the International Graduates Scheme if you were not granted leave under paragraphs 57-62, 128-135H, or 200-210H of these Rules.

**Paragraph 135T with reference to 135R (i) and 135O (vi)**

**Applicant does not have the consent of their sponsor**

Your studies have been sponsored by a government or international scholarship agency. In view of the fact that [...] the Secretary of State is not satisfied that you have the consent of your sponsor to enter the UK as an International Graduates Scheme participant.

**Paragraph 135T with reference to 135R (i) and 135O (vii)**

**Applicant does not have valid leave as a student, Science and Engineering Graduate Scheme participant or International Graduates Scheme participant.**

In view of the fact that [...] the Secretary of State is not satisfied that you have limited leave to enter or remain as a student, Science and

Engineering Graduate Scheme participant or International Graduates Scheme participant in accordance with paragraphs 57-69L or 135O-135T of these Rules

**Paragraph 135T with reference to 135R (ii)**

**Applicant is seeking leave beyond 12 months after he was first granted leave as an International Graduates Scheme participant.**

In view of the fact that [...] the Secretary of State has reason to believe that you are seeking leave to remain to a date beyond 12 months from the date you were first granted leave as an International Graduates Scheme participant.

**Paragraph 135T with reference to 135R (iii)**

## **18.2 Indecs code**

The indecs code for after entry refusals under the International Graduates Scheme is **F9** "Permit Free Employment - Refusal"