

STATEMENT OF CHANGES IN IMMIGRATION RULES

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

*Ordered by the House of Commons to be printed
10 September 2020*

(This document is accompanied by an Explanatory Memorandum)

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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 them 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), 29 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), 7 October 1998 (Cm 4065), 18 November 1999 (HC 22), 28 July 2000 (HC 704), 20 September 2000 (Cm 4851), 28 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), 16 October 2014 (HC 693), 26 February 2015 (HC 1025), 16 March 2015 (HC1116), 13 July

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

2015 (HC 297), 17 September 2015 (HC 437), 29 October 2015 (HC535), 11 March 2016 (HC 877), 3 November 2016 (HC 667), 16 March 2017 (HC 1078), 20 July 2017 (HC 290), 7 December 2017 (HC 309), 15 March 2018 (HC 895), 15 June 2018 (HC 1154), 20 July 2018 (Cm 9675), 11 October 2018 (HC 1534), 11 December 2018 (HC 1779), 20 December 2018 (HC 1849), 7 March 2019 (HC 1919), 1 April 2019 (HC 2099), 9 September 2019 (HC 2631), 30 January 2020 (HC 56), 12 March 2020 (HC 120) and 14 May 2020 (CP 232).

Implementation

These changes shall take effect on 5 October 2020 at 0900. In relation to these changes, if an application for entry clearance, leave to enter or leave to remain has been made before 5 October 2020 at 0900, the application will be decided in accordance with the Immigration Rules in force on 5 October 2020 at 0859.

Where consequential changes relating to the need to obtain an ATAS certificate have been made to the conditions of leave for routes, these changes take effect for all applications made or granted on or after 5 October at 0900.

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:

the period of five years beginning on 6 April 2017; and

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:

- (a) imposes requirements, restrictions or conditions, or sets standards, in relation to any activity carried on by a business or voluntary or community body; or
- (b) relates to the securing of compliance with, or the enforcement of, requirements,

restrictions, conditions or standards which relate to any activity carried on by a business or voluntary or community body.

Changes to the introduction

Intro.1 After paragraph 5 insert:

“5A. Appendix ST: Student and Appendix CS: Child Student shall not apply to an application for permission to stay by an *EEA national* made before 1 January 2021, and any such application must be treated as invalid and not considered.

5B. Where an *EEA national* makes an application for entry clearance under Appendix ST: Student or Appendix CS: Child Student before 1 January 2021, any entry clearance granted will take effect from 1 January 2021.”.

Intro.2 In paragraph 6, for the definition of “**degree level study**”, substitute:

““**degree level study**” means a course which leads to a recognised *UK bachelor’s degree*, or an equivalent qualification at level 6 of the Regulated Qualifications Framework, or level 9 or 10 of the Scottish Credit and Qualifications Framework.”.

Intro.3 In paragraph 6, for the definition of “**UK recognised body**”, substitute:

“A “**UK recognised body**” is a higher learning institution that has been granted degree awarding powers by a Royal Charter, an Act of Parliament, the Privy Council or the Office for Students. For the purposes of these Rules, Health Education South London and Heath Education England are equivalent to UK recognised bodies.
<https://www.gov.uk/check-a-university-is-officially-recognised>”.

Intro.4 In paragraph 6, after the definition of an “**Independent School**”, insert:

“A “**Student sponsor**” means a sponsor which is recorded as having “student sponsor status” on the register of licensed sponsors maintained by the Home Office.”.

Intro.5 In paragraph 6, in the definition of “**higher education provider**”, for “Tier 4” substitute “*Student*”.

Intro.6 In paragraph 6, in the definition of “**track record of compliance**”, for “Tier 4” substitute “*Student*” in each place that it occurs.

Intro.7 In paragraph 6, in the definition of “a **UK bachelor’s degree**”, after “Royal Charter”, for “or” substitute “,” and insert “by the Privy Council or the Office for Students” after “Act of Parliament”.

Intro.8 In paragraph 6, for the definition of “**Date of application**”, substitute:

“**Date of application**” means:

If applying for entry clearance, the date of application is the date on the payment receipt of the relevant *fee*.

If applying for permission to enter, the date of application means the date the person seeks entry.

If applying for *permission to stay*, the date of application is:

- (1) where the paper application form is sent by post by Royal Mail, whether or not accompanied by a *fee* waiver request form, the date of posting as shown on the tracking information provided by Royal Mail or, if not tracked, by the postmark date on the envelope; or
- (2) where the paper application form is sent by courier, or other postal services provider, the date on which it is delivered to the Home Office; or
- (3) where the application is made via the online application process, and there is no request for a *fee* waiver, the date on which the online application is submitted, and the relevant *fee* is paid; or
- (4) where the application is made via the online application process, and includes a request for a *fee* waiver, the date on which the online request for a *fee* waiver is submitted, as long as the completed application is submitted within 10 days of the receipt of the decision on the *fee* waiver application.”.

Intro.9 In paragraph 6, for the definition of “**A valid application**”, substitute:

“**A valid application**” means an application made in accordance with the requirements of Part 1, Appendix ST: Student or Appendix CS: Child Student.”.

Intro.10 In paragraph 6, delete the definition of “**Student**”.

Intro.11 In paragraph 6, delete the definition of “**Student Nurse**”.

Intro.12 In paragraph 6, delete the definition of “**Student Re-Sitting an Examination**”.

Intro.13 In paragraph 6, delete the definition of “**Student Writing-up a Thesis**”.

Intro.14 In paragraph 6, in the definition of “**week**”, delete “Under Part 6A of these Rules,” and, for “week”, substitute “Week”.

Intro.15 In paragraph 6, delete the definition of “**Tier 4 Sponsor**”.

Intro.16 In paragraph 6, in the definition of “**Probationary sponsor**”, delete “Under Part 6A of these Rules” and, for “Tier 4”, substitute “*Student*”.

Intro.17 In paragraph 6, for the definition of “**Confirmation of Acceptance for Studies**”, substitute:

““**Confirmation of Acceptance for Studies**” means an electronic document with a unique reference number electronically issued by a *student sponsor*, via the Sponsor Management System, to a person who the *student sponsor* has agreed to sponsor, for use in an application on the *Student* or *Child Student* route, in accordance with these Rules.”.

Intro.18 In paragraph 6, for the definition of “**Confirmation of Acceptance for Studies Checking Service**”, substitute:

““**Confirmation of Acceptance for Studies Checking Service**” means a computerised interface with the Points Based System computer database which allows a decision maker, assessing an application under the *Student* or *Child Student* route, in accordance with these Rules, to access and review details of the applicant’s *Confirmation of Acceptance for Studies*, including details of the their *student sponsor*, together with details of the *course of study* and other details associated with the circumstances in which the *Confirmation of Acceptance for Studies* was issued.”.

Intro.19 In paragraph 6, in the definition of “**Sponsor**”, after “Under Part 6A” add “, Appendix ST: Student and Appendix CS: Child Student”.

Intro.20 In paragraph 6, for the definition of “**Sponsor Licence**”, substitute:

“A “**sponsor licence**” means a licence granted by the Secretary of State to a person who, by virtue of such a grant, is licensed as a *Sponsor* under the Points Based System.”.

Intro.21 In paragraph 6, in the definition of “**overseas higher education institution**”, delete “Under Part 6A and Appendix A of these Rules” and for “overseas” substitute “Overseas” in the first place where it occurs.

Intro.22 In paragraph 6 for the definition of “**Points Based System Migrant**” substitute:

““**Points Based System Migrant**” means a migrant applying for, or granted, entry clearance or *permission* as a Tier 1 Migrant, a Tier 2 Migrant, a Tier 4 Migrant, a Tier 5 Migrant, a *Student* or a *Child Student*.”.

Intro.23 In paragraph 6, in the definition of “**Tier 4 (General) Student**”, after “of these Rules”, insert “in force before 5 October 2020 at 0900”.

Intro.24 In paragraph 6, in the definitions of “**Tier 4 (Child) student**”, after “of these Rules”, insert “in force before 5 October 2020 at 0900”.

Intro.25 In paragraph 6 in the definition of “**expected end date of a course leading to the award of a PhD**” for “leave to remain as a Tier 4 (General) Student” substitute “*permission to stay* as a *Student*”.

Intro.26 In paragraph 6, for the definition of “**Student Union Sabbatical Officer**” substitute:

“**Student Union Sabbatical Officer**” means a person who has been granted *permission* under Appendix ST: Student, or under paragraph 245ZV or paragraph 245ZX of the rules in force before 5 October at 0900, and has been elected to a full-time, salaried, executive union position. This position must be in the student union of the person’s *student sponsor* institution or with the National Union of Students of the UK.”.

Intro.27 In paragraph 6, in the definition of “**Professional Sports person**” delete “Tier 4 (General)”.

Intro.28 In paragraph 6, after the definition of “**Seasonal work**”, insert:

“**Approved qualification**” means a qualification which meets the requirements set out in ST 9.1.

“**Biometrics**” means a record of the applicant’s fingerprints or a photograph of their face to be obtained and recorded for immigration purposes set out in the Immigration (Biometric Regulations) 2008 (as amended from time to time).

“**Child**”, unless the contrary intention appears, means a person who is aged under 18 years.

“**Child Student**” means a person granted permission under Appendix CS: Child Student or as a Tier 4 (Child) Student.

“**Close relative**” means a grandparent, brother, sister, step-parent, uncle (brother or half-brother of the child’s *parent*) or aunt (sister or half-sister of the child’s *parent*) who is aged 18 or over at the *date of application*.

“**Confirmation of Acceptance for Studies reference number**” means a number which links to a single *Confirmation of Acceptance for Studies* that was assigned to the *Student* or *Child Student* by their *student sponsor*.

“**Course of study**” means the course for which the *Confirmation of Acceptance for Studies* was assigned which leads to an *approved qualification*.

“**Doctorate extension scheme**” means a sponsored scheme which enables successful applicants to remain in the UK for 12 months from the *expected end date of a course leading to the award of a PhD* as set out under ST 18.1 and ST18.2 of these Rules.

“**English language course**” means a course that solely consists of English language study.

“Expected end date of a course leading to the award of a PhD” means the date the PhD is expected to be formally confirmed, by the *student sponsor*, as completed to the standard required for the award of a PhD and recorded on the *Confirmation of Acceptance for Studies* accompanying the application as a *Student* on the *doctorate extension scheme*.

“Fee” means the amount the applicant must pay to the Secretary of State as specified in regulations made in exercise of the powers conferred by sections 68, 69 and 74 of the Immigration Act 2014.

“Full-time course” means a full-time course which is:

- a) a full-time course of *degree level study* that leads to a UK-recognised qualification at level 6 or above on the Regulated Qualifications Framework or equivalents; or
- b) an overseas higher education course that the *Student* is studying in the UK and leads to a qualification from an *overseas higher education institution* that is recognised as being equivalent to a UK higher education qualification; or
- c) a *course of study* below UK degree level that involves a minimum of 15 hours a *week* of classroom-based, daytime study (08:00 – 18:00, Monday to Friday). Scheduled breaks do not count towards the 15 hours.

“Immigration Health Charge” means a charge under section 38 of the Immigration Act 2014 and the Immigration (Health Charge) Order 2015 (as amended from time to time).

“International sponsorship agency” means an international institution or organisation which provides funding to students studying in the UK.

“Partner” means the applicant’s:

- (a) spouse; or
- (b) *civil partner*; or
- (c) fiancé(e) or proposed *civil partner*; or
- (d) unmarried partner.

“Partner Institution” means an institution which has a permitted partnership agreement with a *student sponsor*. Teaching partnerships allow a *student sponsor*’s students to undertake study of a specified type at a partner’s site.

“passport”: under Appendix ST: Student and Appendix CS: Child Student, means a passport which:

- (a) is issued by or on behalf of the government of any country recognised by the UK, or dealt with as a government by the UK, and which complies with international passport practice; and
- (b) shows both the identity and nationality of the holder; and
- (c) gives the holder the right to enter the country of the government which has issued the passport; and

- (d) is authentic and not unofficially altered or tampered with; and
- (e) is not damaged in a way that compromises the integrity of the passport; and
- (f) is valid (has not expired) and is used by the rightful holder.

“**permission to stay**” means leave to remain and references to a person having, having had, or being granted “**permission**” means permission to enter or permission to stay.

“**permission to enter**” means leave to enter.

“**Private foster care arrangement**” means an arrangement in which children aged under 16, or under 18 if disabled, are cared for on a full-time basis by a person or persons aged 18 or over, who is not their *parent* or a *close relative*, for a period of 28 days or more.

“**Probationary sponsor**” means a *student sponsor* which has been given probationary sponsor status when it was first granted a *sponsor licence*. A probationary sponsor must demonstrate that it can fulfil its sponsorship duties, will continue to do so, and can be trusted to hold *student sponsor* status. When a probationary sponsor applies for, and passes, its first annual Basic Compliance Assessment, it will be granted *student sponsor* status.

“**Postgraduate doctor or dentist**” means a *Student* undertaking a recognised Foundation Programme with Health Education England following completion of a recognised degree in medicine or dentistry in the UK.

“**Student**” means a person granted permission under Appendix ST: Student or as a *Tier 4 (General) Student*.

“**Studying in London**”: an applicant will be considered to be studying in London if their *Confirmation of Acceptance for Studies* confirms they will be studying at an institution wholly within the Greater London Area. If the applicant will be studying at more than one site, one or more of which is in Greater London Area and one or more outside, then the applicant will be considered to be studying in London if the applicant’s *Confirmation of Acceptance for Studies* states that the applicant will be spending the majority of time studying at a site or sites situated within the Greater London Area.

“**Studying outside London**”: an applicant will be considered to be studying outside London where their place of study stated on their *Confirmation of Acceptance for Studies* is in the UK but does not meet the definition of *Studying in London*.

“**Successfully completed**” means the *Student* or *Child Student* has been awarded the qualification for the *course of study* for which their *Confirmation of Acceptance for Studies* was assigned.

“UK NARIC” means the UK National Recognition Information Centre, which provides information, advice and opinion on academic, vocational and professional qualifications and skills from all over the world.
<https://uknarc.org/>

“**Work placement**” means a placement that forms an integral and assessed part of the *course of study* which meets the requirements in ST 17.1. to ST 17.3.”.

Changes to Part 1

1.1 Insert at the beginning of paragraph 34:

“Except for an application under Appendix ST: Student or Appendix CS: Child Student,”.

1.2 For paragraph 34B(1), substitute:

“(1) Where an application for *permission to stay* does not meet the requirements of paragraph 34(1) to(9), or the validity requirements in Appendix ST: Student or Appendix CS: Child Student, the Secretary of State may notify the applicant and give them one opportunity to correct the error(s) or omission(s) identified by the Secretary of State within the timescale specified in the notification.”.

1.3 For paragraph 34B(2), substitute:

“(2) Where an applicant does not comply with the notification in paragraph 34B(1), or with the requirements in paragraph 34G(4), the application is invalid and will not be considered unless the Secretary of State exercises discretion to treat an invalid application as valid and the requirements of paragraph 34(3) and (5), or Appendix ST: Student ST 1.2.(a) and (b) or Appendix CS: Child Student CS 1.2.(b) and (c) have been met.”.

1.4 For paragraph 34E, substitute:

“34E. If a person wishes to vary the purpose of an application for *permission to stay*, the variation must comply with the requirements of paragraph 34, or the validity requirements in Appendix ST: Student or Appendix CS: Child Student (as they apply at the date the application for variation is made), as if the variation were a new application. If it does not, subject to paragraph 34B, the variation will be invalid and will not be considered.”.

1.5 For paragraph 34J, substitute:

“34J. The proof of identity provided under paragraph 34(5), or Appendix ST: Student ST 1.2.(c) or Appendix CS: Child Student CS 1.2.(d), will be returned to the applicant whilst their application is being considered, unless the Secretary of State considers it necessary to retain it. Where the Secretary of State has retained an applicant’s proof of identity and the applicant

requests the return of their proof of identity for the purpose of travel outside the common travel area, the application shall, provided it has not already been determined, be treated as withdrawn on the date that request is received by the Home Office.”.

1.6 For paragraph 34K, substitute:

“34K. Where proof of identity provided under paragraph 34(5), or Appendix ST: Student ST 1.2.(c) or Appendix CS: Child Student CS 1.2.(d), has been returned to the applicant pending a decision on their application for *permission to stay* and the applicant travels outside the common travel area their application shall, provided that it has not been determined, be treated as withdrawn on the date that the applicant left the common travel area.”.

1.7 Delete paragraph 39A.

Changes to Part 3

3.1 In paragraph A57B, sub paragraph (c)(i), for “sponsor licence for Tier 4 of the Points Based System” substitute “*student sponsor* licence under the Points Based System”.

Changes to Part 5

5.1 In paragraph 145(iv), for “Part 15” substitute “Appendix ATAS”.

5.2 In paragraph 148(iv), for “Part 15” substitute “Appendix ATAS”.

5.3 In paragraph 187, for “Part 15” substitute “Appendix ATAS”.

5.4 In paragraph 190, for “Part 15” substitute “Appendix ATAS”.

5.5 In paragraph 195, for “Part 15” substitute “Appendix ATAS”.

5.6 In paragraph 195, for “sponsor licence under Tier 4 of the Points Based System” substitute “*student sponsor* licence under the Points Based System”.

5.7 In paragraph 196B(i), for “Part 15” substitute “Appendix ATAS”.

5.8 In paragraph 196B(ii), for “Part 15” substitute “Appendix ATAS”.

5.9 In paragraph 196B (1), for “sponsor licence under Tier 4 of the Points Based System” substitute “*student sponsor* licence under the Points Based System”.

5.10 In paragraph 198(a), for “Part 15” substitute “Appendix ATAS”.

5.11 In paragraph 198(b), for “Part 15” substitute “Appendix ATAS”.

Changes to Part 6A

- 6A.1 In paragraph 245DC(b), for “Part 15” substitute “Appendix ATAS”.
- 6A.2 In paragraph 245DE(b)(v), for “Part 15” substitute “Appendix ATAS”.
- 6A.3 In paragraph 245EB(c), for “leave as a Tier 4 Migrant” substitute “*permission as a Student or Child Student*”.
- 6A.4 In paragraph 245EC(b)(iii), for “sponsor licence under Tier 4 of the Points Based System” substitute “*student sponsor licence under the Points Based System*”.
- 6A.5 In paragraph 245EC(b)(v), for “Part 15” substitute “Appendix ATAS”.
- 6A.6 In paragraph 245ED (c)(xvi), delete “Tier 4 (General)”.
- 6A.7 In paragraph 245ED(c)(xvii), delete “Tier 4 (Child)”.
- 6A.8 In paragraph 245ED(d), for “Tier 4 Migrant” substitute “*Student or Child Student*”.
- 6A.9 In paragraph 245EE(b)(iii)(1), for “sponsor licence under Tier 4 of the Points Based System” substitute “*student sponsor licence under the Points Based System*”.
- 6A.10 In paragraph 245EE(b)(v), for “Part 15” substitute “Appendix ATAS”.
- 6A.11 In paragraph 245GB(f), for “leave as a Student, a Student Nurse, a Student Re-Sitting an Examination, a Student Writing-Up a Thesis, a Postgraduate Doctor or Dentist or a Tier 4 Migrant” substitute “*permission as a Student or Child Student*”.
- 6A.12 In paragraph 245GC(d)(iv), for “Part 15” substitute “Appendix ATAS”.
- 6A.13 In paragraph 245GE(d)(iv), for “Part 15” substitute “Appendix ATAS”.
- 6A.14 In paragraph 245HB(h), for “Tier 4 Migrant” substitute “*Student or Child Student*”.
- 6A.15 In paragraph 245HC(d)(iv), for “Part 15” substitute “Appendix ATAS”.
- 6A.16 In paragraph 245HD(b)(i)(5), for “Tier 4 Migrant” substitute “*Student*”.
- 6A.17 In paragraph 245HD(b)(ii), for “Tier 4 Migrant” substitute “*Student*”.
- 6A.18 In paragraph 245HD(d)(ii), for “sponsor licence under Tier 4 of the Points Based System” substitute “*student sponsor licence under the Points Based System*”.
- 6A.19 In paragraph 245HD(d)(v), for “Tier 4 student” substitute “*Student*” and for “Tier 4 sponsor” substitute “*student sponsor*”.

- 6A.20 In paragraph 245HE(d)(iv), for “Part 15” substitute “Appendix ATAS”.
- 6A.21 In paragraph 245ZL(d), for “sponsor licence under Tier 4 of the Points Based System” substitute “*student sponsor* licence under the Points Based System”.
- 6A.22 In paragraph 245ZL(f), for “Part 15” substitute “Appendix ATAS”.
- 6A.23 In paragraph 245ZP(f)(v), for “Part 15” substitute “Appendix ATAS”.
- 6A.24 In paragraph 245ZQ(b)(iv), for “Tier 4 (General) Migrant” substitute “*Student*”.
- 6A.25 In paragraph 245ZQ(h), delete “, a Student Re-Sitting an Examination, a Person Writing Up a Thesis, a Postgraduate Doctor or Dentist, a Student Nurse, a Student Union Sabbatical Officer, or a Tier 4 (General) Migrant”.
- 6A.26 In paragraph 245ZR(h)(v), for “Part 15” substitute “Appendix ATAS”.
- 6A.27 Delete paragraph 245ZT.
- 6A.28 Delete paragraph 245ZU.
- 6A.29 Delete paragraph 245ZV.
- 6A.30 Delete paragraph 245ZW.
- 6A.31 Delete paragraph 245ZX.
- 6A.32 Delete paragraph 245ZY.
- 6A.33 Delete paragraph 245ZZ.
- 6A.34 Delete paragraph 245ZZA.
- 6A.35 Delete paragraph 245ZZB.
- 6A.36 Delete paragraph 245ZZC.
- 6A.37 Delete paragraph 245ZZD.
- 6A.38 Delete paragraph 245ZZE.

Changes to Part 7

- 7.1 In paragraph 276A03, for “Part 15” substitute “Appendix ATAS”.
- 7.2 In paragraphs 276BT1 to 276BV1, relating to the “Parent of a Tier 4 (child) student”, for “Tier 4 (child) student” substitute “*Child Student*” in each place

that it occurs, including in the title of the route, description of the route and paragraph headings.

- 7.3 In paragraph 276BT1(i), delete sub paragraphs a) and b).
- 7.4 In paragraph 276BT1(i), after “provided the child”, for “:” substitute “has *permission* as a *Child Student*, or meets the requirements in Appendix CS: *Child Student* if seeking *permission* as a *Child Student*;”.
- 7.5 In paragraph 276BT1(ii), for “himself” substitute “themselves”.

Changes to Part 8

- 8.1 In paragraph 319AA(a), delete “, a Tier 4 (General) Student”.
- 8.2 Delete paragraph 319C(h)(i)(c).
- 8.3 Delete paragraph 319C(i).
- 8.4 In paragraph 319D(b)(iii)(1), for “sponsor licence under Tier 4 of the Points Based System” substitute “*student sponsor* licence under the Points Based System”.
- 8.5 Delete paragraph 319D(b)(iv).
- 8.6 Delete paragraph 319H(i).
- 8.7 Delete paragraph 319H(j).
- 8.8 Delete paragraph 319I(b)(iii).

Changes Part 9

- 9.1 In paragraph 323A, for “Tier 4 Migrant” substitute “*Student* or *Child Student*” in each place that it occurs, including the heading above beginning “Curtailement of leave”.
- 9.2 In paragraph 323A(a)(ii)(2A), for “Certificate of Sponsorship Checking Service” substitute “*Confirmation of Acceptance for Studies* issued in respect of that course”.
- 9.3 In paragraph 323C(b), for “Tier 4 Sponsor” substitute “*student sponsor*”.
- 9.4 For paragraph 323A(a)(ii)(4), substitute:

“(4) the *Sponsor* withdraws their sponsorship of a person who, having completed a pre-sessional course as provided in paragraph 120(b) (i) of Appendix A, or Appendix ST: Student at ST 15 1, does not have a knowledge of English equivalent to level B2 or above of the Council of

Europe’s Common European Framework for Language Learning in all four components (reading, writing, speaking and listening).”.

Changes to Part 10

- 10.1 In paragraph 326(2)(vi), for “parent of a Tier 4 (child) student” substitute “Parent of a *Child Student*”.

Changes to Part 11

- 11.1 In paragraph 352H, for “Part 15” substitute “Appendix ATAS”.

Changes to Part 15

- 15.1 Delete Part 15.

Changes to Appendix 6

- App6.1 Delete Appendix 6.

Changes to Appendix A

- A.1. Delete “4” from the heading of Appendix A.
- A.2. Delete paragraph 113.
- A.3. Delete paragraph 114.
- A.4. Delete paragraph 115 including Table 16.
- A.5. Delete paragraph 115A.
- A.6. Delete paragraph 116.
- A.7. Delete paragraph 117.
- A.8. Delete paragraph 118.
- A.9. Delete paragraph 119.
- A.10. Delete paragraph 120.
- A.11. Delete paragraph 120-SD.
- A.12. Delete paragraph 120A.
- A.13. Delete paragraph 121.
- A.14. Delete paragraph 122 including table 17.

- A.15. Delete paragraph 123.
- A.16. Delete paragraph 123A.
- A.17. Delete paragraph 124.
- A.18. Delete paragraph 125.
- A.19. Delete paragraph 125A.
- A.20. Delete paragraph 125-SD.

Changes to Appendix AR

AR.1 In Appendix AR, after paragraph AR3.2(a) insert:

“(aa) A decision on an application where the application was made on or after 5 October 2020 at 0900 for *permission to stay* as:

- (i) a *Student* under Appendix ST: Student; or
- (ii) a *Child Student* under Appendix CS: Child Student; or
- (iii) the dependant partner of a *Student* under Appendix ST: Student; or
- (iv) the dependant child of a *Student* under Appendix ST: Student; or
- (v) the Parent of a *Child Student* under Part 7.”.

Changes to Appendix Armed Forces

AF.1 In paragraph 5A, for “Part 15” substitute “Appendix ATAS”.

Insertion of new Appendix ATAS

ATAS.1 After Appendix Armed Forces, insert new appendix:

“Appendix ATAS: Academic Technology Approval Scheme (ATAS)”

The ATAS requirement is a requirement to obtain a valid ATAS certificate, issued by the Counter-Proliferation Department of the Foreign and Commonwealth Office, and to provide it with an application to study any of the specified subjects listed in this Appendix.

The ATAS condition is a requirement to obtain a valid ATAS certificate prior to commencing study in any of the specified subjects.

A person must meet the ATAS requirement if they are aged 16 or over and are applying to study under the Student or Short-term study route in relation to postgraduate study in one of the specified subjects.

A person is subject to the ATAS condition if they have been granted permission under any immigration route that imposes this condition on study.

A person is exempt from the ATAS requirement and ATAS condition if they are a national of one of the countries listed in this Appendix.

ATAS requirement

ATAS 1.1. The ATAS requirement is that the applicant (who is not a national of a country listed at ATAS 3.1.) has a valid ATAS certificate if the *course of study* for which the *Confirmation of Acceptance for Studies* was assigned for a subject set out at ATAS 4.1 which:

- (a) leads to a master's degree; or
- (b) leads to a PhD; or
- (c) leads to another postgraduate qualification; or
- (d) is a period of study or research which is part of an overseas postgraduate qualification.

ATAS 1.2. The applicant must provide a print-out of the valid ATAS certificate for the *course of study* to show that the ATAS requirement is met.

ATAS condition

ATAS 2.1. The ATAS condition means the person (who is not a national of a country listed at ATAS 3.1), must have a valid ATAS certificate before commencing study (unless ATAS 2.2 applies) in a subject listed at ATAS 4.1 which:

- (a) leads to a master's degree; or
- (b) leads to a PhD; or
- (c) leads to another postgraduate qualification; or
- (d) is a period of study or research which is part of an overseas postgraduate qualification.

ATAS 2.2. If a *Student* intends to continue study on a *course of study* subject to the ATAS requirement, they must apply for an ATAS certificate where:

- (a) the completion date of the *course of study* has changed and will be delayed by more than 3 months; or
- (b) the course contents or research proposal of the *course of study* change, and the application for a new certificate must be made within 28 days of the change in (a) or (b) above being known to the *Student*.

Nationals who are exempt from the ATAS requirement and condition

ATAS 3.1. A person does not need to meet the ATAS requirement, and will not be subject to the ATAS condition, if they are a national of any of the following countries:

- Australia
- Austria
- Belgium
- Bulgaria
- Canada
- Croatia

- Republic of Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Japan
- Latvia
- Liechtenstein
- Lithuania
- Luxembourg
- Malta
- Netherlands
- New Zealand
- Norway
- Poland
- Portugal
- Romania
- Singapore
- Slovakia

- Slovenia
- South Korea
- Spain
- Sweden
- Switzerland
- United States of America

Academic Subjects relevant to ATAS

ATAS 4.1. The ATAS requirement and ATAS condition apply to the following subjects:

(a) doctorates or master's by research in:

Subjects allied to Medicine:

CAH codes:

CAH02-02-01 - Pharmacology

CAH02-02-02 - Toxicology

CAH02-02-03 - Pharmacy

CAH10-01-06 - Bioengineering, Medical and Biomedical Engineering

CAH02-03-12 - Others in subjects allied to Medicine

Biological Sciences:

CAH codes:

CAH03-01-02 - Biology (non-specific)

CAH03-01-03 - Ecology and Environmental Biology

CAH03-01-06 - Zoology

CAH03-01-04 - Microbiology and Cell Science

CAH03-01-05 - Plant Sciences

CAH10-02-05 - Biotechnology

CAH03-01-07 - Genetics

CAH02-03-10 - Biomedical Sciences (non-specific)

CAH03-01-08 - Molecular Biology, Biophysics and Biochemistry

CAH03-01-01 - Biosciences (non-specific)

CAH03-01-10 - Others in Biological Sciences

Veterinary Sciences, Agriculture and related subjects:

CAH codes:

CAH05-01-02 - Others in Veterinary Sciences

CAH06-01-02 - Agricultural sciences

Physical Sciences:

CAH codes:

CAH-07-02-01 - Chemistry

CAH-07-03-03 - Materials Science

CAH07-01-01 - Physics

CAH07-01-02 - Astronomy

CAH12/01/05 - Others in Geographical Studies

CAH07/03/01 - Physical Sciences (non-specific)

CAH08-01-01 - Sciences (non-specific)

CAH08-01-02 - Natural Sciences (non-specific)

Mathematical and Computer Sciences:

CAH codes:

CAH09-01-01 - Mathematics

CAH09-01-02 - Operational Research

CAH11-01-01 - Computer Science

CAH11-01-02 - Information Technology

CAH11-01-03 - Information Systems

CAH11-01-04 - Software Engineering

CAH11-01-05 - Artificial Intelligence

Engineering:

CAH codes:

CAH10-01-01 - Engineering (non-specific)

CAH10-01-07 - Civil Engineering

CAH10-01-02 - Mechanical Engineering

CAH10-01-04 - Aeronautical and Aerospace Engineering

CAH10-01-05 - Naval Architecture

CAH10-01-08 - Electronic and Electrical Engineering

CAH10-01-09 - Chemical, Process and Energy Engineering

Technologies:

CAH codes:

CAH10-02-03 - Polymers and Textiles

CAH10-02-01 - Minerals Technology

CAH10-02-02 - Materials Technology

CAH10-02-04 - Maritime Technology

(b) taught master's in:

CAH codes:

CAH07-03-03 - Materials Science

CAH07-01-01 - Physics (including Nuclear Physics)

CAH10-01-02 - Mechanical Engineering

CAH10-01-04 - Aeronautical and Aerospace Engineering

CAH10-01-09 - Chemical, Process and Energy Engineering

CAH10-02-01 - Minerals Technology

CAH10-02-02 - Materials Technology”.

Changes to Appendix B

B.1 In paragraph 12(c), for “Tier 4 (General) student” substitute “*Student*”.

B.2 In paragraph 13(c), for “Tier 4 (General) student” substitute “*Student*”.

Changes to Appendix C

C.1 In paragraph 1A(a), delete ‘except where;’ and delete sub paragraphs (i), (ii) and (iii).

C.2 Delete paragraph 1A(c).

C.3 Delete paragraph 1A(ca).

C.4 In paragraph 1A(h), for “90-day and 28-day periods referred to in (b) and (c)” substitute “90-day period referred to in (b)”.

C.5 In paragraph 1B(a)(i)(2), for “, or” substitute “.”.

C.6 Delete paragraph 1B(a)(i)(3).

C.7 In paragraph 1B(a)(iii)(1) _ii, delete “Tier 4 Migrant or as a”.

C.8 In paragraph 1B(b)(i)(2), for “, or” substitute “.”.

C.9 Delete paragraph 1B(b)(i)(3).

C.10 In paragraph 1B(b)(iii) (1) _ii, delete “Tier 4 Migrant or as”.

C.11 In paragraph 1B(c)(i)(2), for “, or” substitute “.”.

C.12 Delete paragraph 1B(c)(i)(3).

C.13 In paragraph 1B(c)(v)(1) _ii, delete ‘Tier 4 Migrant or as’.

C.14 Delete paragraph 1B(d).

C.15 Delete paragraph 10.

C.16 Delete paragraph 11 including the table.

C.17 Delete paragraph 12.

C.18 Delete paragraph 12AA.

C.19 Delete paragraph 12A.

C.20 Delete paragraph 13.

- C.21 Delete paragraph 13A.
- C.22 Delete paragraph 13B.
- C.23 Delete paragraph 13C.
- C.24 Delete paragraph 13D.
- C.25 Delete paragraph 15.
- C.26 Delete paragraph 16 including the table.
- C.27 Delete paragraph 17.
- C.28 Delete paragraph 18.
- C.29 Delete paragraph 19.
- C.30 Delete paragraph 19A.
- C.31 Delete paragraph 20.
- C.32 Delete paragraph 21.
- C.33 Delete paragraph 21A.
- C.34 Delete paragraph 21B.
- C.35 Delete paragraph 21C.

Changes to Appendix E

- E.1 In paragraph (b)(ii), delete “or a Tier 4 (General) Student,”.
- E.2 Delete paragraph (ba)(i).
- E.3 Delete paragraph (g)(ii).
- E.4 In paragraph (j), after “of Appendix C” for “, unless:” substitute “.”.
- E.5 Delete paragraphs (j)(i) to (j)(iv).
- E.6 Delete paragraph (n).

Insertion of new Appendix English Language

- EL.1 After Part 15, insert new Appendix:

“Appendix **English Language**

This Appendix sets out how the English language requirement is met.

It applies only to applications under Appendix ST: Student.

Exemption

EL 1.1. Unless the application is under Appendix ST: Student, an applicant is exempt from the English language requirement if at the *date of application*:

- (a) they are aged 65 or over; or
- (b) they are aged under 18; or
- (c) they have a disability (physical or mental condition) which prevents them from meeting the requirement.

How the requirement is met

EL 2.1. The English language requirement is met if any of the requirements in EL 3 to EL 7 are met.

EL 2.2. The English language requirement can also be met by a *Student* if any of the requirements in EL 8.1. to EL 8.4. are met.

Met in a previous application

EL 3.1. An applicant will meet the English language requirement if they have already shown they met the requirement, at the level required for their current application, in a previous successful application for entry clearance or *permission*.

Majority English speaking country

EL 4.1. An applicant will meet the English language requirement if they are a national of any of the following majority-English-speaking countries:

- Antigua and Barbuda
- Australia
- The Bahamas
- Barbados
- Belize
- Canada
- Dominica
- Grenada
- Guyana
- Ireland
- Jamaica

- Malta
- New Zealand
- St Kitts and Nevis
- St Lucia
- St Vincent and the Grenadines
- Trinidad and Tobago
- United States of America

Academic qualification

EL 5.1. An applicant will meet the English language requirement if they have an academic qualification which meets one of the requirements at EL 5.2. and is proven by the required evidence under EL 5.3. or EL 5.4.

EL 5.2. The requirements are that the applicant has:

- (a) a *Bachelor's degree*, *Master's degree* or *doctorate* awarded in the UK; or
- (b) a degree or degree-level qualification taught in a university or college in a majority-English-speaking country listed in EL 4.1. (except Canada), which meets or exceeds the recognised standard of a *Bachelor's degree*, *Master's degree* or *doctorate* awarded in the UK; or
- (c) a *degree* or *degree level* qualification which meets, or exceeds, the recognised standard of a *UK Bachelor's degree*; *Master's degree* or *doctorate* and was taught or researched in English.

EL 5.3. The requirement at EL 5.2. must be proven by one of:

- (a) a certificate from the awarding body; or
- (b) a transcript issued by the university or college that awarded the qualification; or
- (c) an official letter from the university or college that awarded the qualification containing information equivalent to a degree certificate.

EL 5.4. If the qualification was awarded by a body from outside the UK, the requirement at EL 5.2. must, in addition to the requirement at EL 5.3, be proven by confirmation from *UK NARIC* that the qualification meets the requirements at EL 5.2. (b) or EL 5.2.(c).

English language test

EL 6.1. An applicant will meet the English language requirement if they have provided a valid digital reference number from an approved provider showing they have passed an approved English language test to the required level in the two years before the *date of application*.

The list of approved tests and providers, updated from time to time, can be found at www.gov.uk/government/publications/guidance-on-applying-for-uk-visa-approved-english-language-tests

GCSE or A' Level English

EL 7.1. An applicant will meet the English language requirement if they have a GCSE, A' level, Scottish National Qualification at level 4 or 5 or Scottish Higher or Advanced Higher, in English (language or literature), that was awarded:

- (a) by an Ofqual (or SQA, Qualifications Wales or CCEA) regulated awarding body; and
- (b) following education in a UK school undertaken while they were aged under 18.

EL 7.2. The requirement at EL 7.1. must be proven by either:

- (a) a certificate from the awarding body: or
- (b) an official transcript issued by the awarding body.

Additional ways Students can meet the English language requirement

EL 8.1. An applicant under Appendix ST: Student will meet the English language requirement if they are applying for a *course of study* at *degree level* or above and are sponsored by a *higher education provider* with a *track record of compliance* who states on the *Confirmation of Acceptance for Studies* that they have assessed the applicant's English language ability and how they have assessed it.

EL 8.2. Where an assessment under EL 8.1. has been carried out the *Confirmation of Acceptance for Studies* entry must confirm that the applicant has a knowledge of English equivalent to level B2, or above, of the Council of Europe's Common European Framework for Language Learning in all four components (reading, writing, speaking and listening) or that the requirement at ST 15.3. is met.

EL 8.3. An applicant under Appendix ST: Student will meet the English language requirement if they have taken an approved English test and been exempted from a component of that test by the test provider due to a disability, and the *student sponsor* has confirmed that they are satisfied the English language ability of the applicant is sufficient to undertake the *course of study*.

EL 8.4. An applicant under Appendix ST: Student will meet the English language requirement if they are applying for a short-term study abroad programme of up to six months and both:

- (a) the study abroad programme is part of a course of study at *degree level* or above at an *overseas higher education institution* in the United States of America; and
- (b) *UK NARIC* confirm that the course of study overseas will lead to an academic (not a professional or vocational) qualification at *UK Bachelor's degree level* or above.”.

Insertion of new Appendix Finance

FIN.1 After Appendix English Language insert new Appendix

“Appendix **Finance**

This Appendix sets out how the financial requirement must be met.

The routes set out the requirements for the level of funds and length of time they must be held.

This appendix applies to applications under Appendix ST: Student and Appendix CS: Child Student.

Currency

FIN 1.1. Where money is held in one or more foreign currencies, this will be converted into pound sterling (£) using the spot exchange rate which appears on www.oanda.com for the *date of the application*.

Financial institutions

FIN 2.1. Funds will not be considered if they are held in a financial institution where any of the following apply:

- (a) the decision maker is unable to make satisfactory verification checks; or
- (b) the financial institution is not regulated by the appropriate regulatory body for the country in which that institution is operating; or
- (c) the financial institution does not use electronic record keeping.

Overdrafts

FIN 3.1. Overdraft facilities will not be counted towards meeting financial requirements.

Requirement to have legally earned or acquired funds, savings, or income

FIN 4.1. If funds, savings or income were earned or acquired when the applicant was in the UK, they must have been earned or acquired lawfully and while the applicant had *permission* and was not in breach of any *conditions* attached to that *permission*.

Account holders

FIN 5.1. Accounts relied on must be in the name of the applicant (either alone or as a joint account holder), unless one of the following applies:

- (a) the account is in the name of the applicant’s *partner* who is applying for entry clearance or *permission to stay* at the same time or has been granted *permission*; or
- (b) if the applicant is applying as a *Child Student*, or *Student*, or dependant child, the account may be in the name of their *parent*, or their legal guardian; or
- (c) if the applicant is applying as a *Child Student* and they are being cared for by a close relative, or a private foster care arrangement has been made which complies with the requirements in CS 9.3. to CS 9.5, the account may be in the name of the applicant’s close relative or private foster carer.

FIN 5.2. The applicant, or account holder in FIN.5.1, must have control of the funds.

FIN 5.3. If the applicant is applying as a *Student* or *Child Student* and they are relying on funds held in an account in a *parent* or legal guardian's name as specified in FIN 5.1. they must provide proof of that relationship and written consent from the *parent* or legal guardian to use those funds.

Third party support

FIN 6.1. Promises of future third-party support will not be accepted as evidence of funds, except where this is specified in the route under which the applicant is applying.

Dates of financial evidence

FIN 7.1. The most recently dated piece of financial evidence must be dated within 31 days before the *date of application*.

FIN 7.2. The length of time for which funds are held will be calculated by counting back from the date of the closing balance on the most recently dated piece of financial evidence.

FIN 7.3. The financial evidence provided must cover the whole period of time for which the funds must be held.

Accounts

FIN 8.1. Funds may be held in any form of personal bank or building society account (including current, deposit, savings, pension from which the funds can be withdrawn or investment account) provided the account allows the funds to be accessed immediately.

FIN 8.2. Funds held in other accounts or financial instruments such as shares, bonds, credit cards, pensions from which the funds cannot be withdrawn immediately, regardless of notice period, will not be accepted as evidence of funds.

FIN 8.3. An applicant applying as a *Student* or *Child Student*, will meet the financial requirements if they provide the required evidence of any of the following (or a combination of them):

- (a) money held in an account that meets the requirements set out in FIN 5.1. and FIN 8.1; or
- (b) funds provided by an official financial sponsor, which must be Her Majesty's Government, the applicant's national government, the British Council or any international organisation, international company, University or *Independent School*; or
- (c) a student loan provided by:
 - (i) a government; or
 - (ii) a government sponsored student loan company; or
 - (iii) an academic or educational loans scheme which is provided by a financial institution regulated for the purpose of issuing student loans by either the Financial Conduct Authority (FCA) and the Prudential Regulation Authority (PRA) or, in the case of overseas accounts, the official regulatory body for the country the institution is in and where the money is held.

Evidence of financial sponsorship for students

FIN 9.1. An application as a *Student or Child Student*, must show funds provided by an official financial sponsor by either:

- (a) the *Confirmation of Acceptance for Studies* stating the funds being provided, if the *Student's student sponsor* is also providing financial sponsorship; or
- (b) a letter of confirmation from the official financial sponsor.

FIN 9.2. Where an applicant is relying on a student loan under FIN 8.3.(c), they must show evidence of the student loan by providing a student loan letter from the lender which must:

- (a) be dated no more than 6 months before the *date of application*; and
- (b) confirm the loan is a student loan provided by either the relevant government or a government sponsored student loan company or an academic or educational loans scheme; and
- (c) confirm there are no conditions on release of the loan funds other than a successful application to study in the UK as a *Student or Child Student*; and
- (d) confirm the amount of the loan; and
- (e) confirm the loan is to the applicant; and
- (f) confirm the funds will be:
 - (i) available to the applicant before they travel to the UK; or
 - (ii) paid directly to the *student sponsor* before they travel to the UK, with the living cost portion of the loan being made available to the applicant by the time they arrive in the UK; or
 - (iii) available before the applicant begins their course if the loan is provided by the applicant's national government; and
- (g) confirm the lender meets the requirement at FIN 8.3(c).".

Changes to Appendix FM

FM.1 In paragraph GEN1.14, for "Part 15" substitute "Appendix ATAS".

Changes to Appendix H

H.1 Delete Appendix H.

Insertion of new Appendix ST: Student

ST.1 After Appendix SN, insert new appendix:

"Appendix ST: Student

This route is for a person aged 16 or over who wants to study with a sponsor on a course of further or higher education, a pre-sessional English course, a recognised foundation programme, on the Doctorate Extension Scheme or to take an elected post as a Student Union Sabbatical Officer.

The register of licensed student sponsors can be found at:

www.gov.uk/government/publications/register-of-licensed-sponsors-students

A person who is aged 16 or 17 and wants to study with a sponsor that is an Independent School on a course at Regulated Qualifications Framework 3 or Scottish Credit and Qualifications Framework 6 and above can apply as either a Student or as a Child Student (see Appendix CS: Child Student).

A person who wants to study a course for 6 months or less without a student sponsor but with an accredited provider, or a person aged 16 or over who wants to study an English Language course of 11 months or less without a student sponsor but with an accredited provider, should apply under Part 3: Students.

Some Students can bring a dependant partner and dependant children to the UK , for example if they are studying at postgraduate level, or on a government sponsored scheme.

The Student route is not a route to settlement.

Validity requirements for the Student route

ST 1.1. A person applying for entry clearance or *permission to stay* on the *Student* route must apply on the specified form on gov.uk as follows:

Location of applicant	Nationality	Form
Outside the UK	EEA national with a chipped passport	Student
	Other applicants	Student visa
Inside the UK	All applicants	Student

ST 1.2. An application for entry clearance or *permission to stay* on the *Student* route must meet all the following requirements:

- (a) any *fee* and *Immigration Health Charge* must have been paid; and
- (b) the applicant must have provided any required *biometrics*; and
- (c) the applicant must have provided a *passport* or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must provide a *Confirmation of Acceptance for Studies reference number* that was issued to them before the *date of application*.

ST 1.3. If the applicant has, in the 12 months *before the date of application*, completed a course of studies in the UK for which they have been awarded a scholarship or sponsorship by a Government or *international sponsorship agency* covering both fees and living costs, they must provide written consent in relation to the application from that Government or agency.

ST 1.4. An applicant who is in the UK on the *date of application* must not have, or have last been granted *permission*:

- (a) as a *Visitor*; or
- (b) as a *Short-term Student*; or
- (c) as a Parent of a *Child Student*; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

ST 1.5. An applicant who is in the UK on the *date of application* must not be on immigration bail.

ST 1.6. The applicant must be at least 16 years old on *the date of application*.

ST 1.7. An application which does not meet all the validity requirements for the *Student* route is invalid and may be rejected and not considered.

Suitability requirements for the Student route

ST 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

ST 2.2. The applicant must not be in the UK *in breach of immigration laws*, except that, where paragraph 39E applies, any current period of *overstaying* will be disregarded.

Eligibility requirements for the Student route

Entry requirement

ST 3.1. A person seeking to come to the UK on the *Student* route must apply for and obtain entry clearance as a *Student* before they arrive in the UK.

ST 3.2. A person applying for entry clearance for more than 6 months must meet the requirements for a tuberculosis certificate if the criteria specified in paragraph A39 and in Appendix T apply.

Date of application requirement

ST 4.1. An application for entry clearance must be made no more than 6 months before the start date of the course stated on the *Confirmation of Acceptance for Studies*.

ST 4.2. An application for *permission to stay* must be made no more than 3 months before the start date of the course on the *Confirmation of Acceptance for Studies*.

ST 4.3. An application for *permission to stay* must be for study on a course with a start date no more than 28 days after the expiry date of the applicant's previous *permission*.

Genuine Student requirement

ST 5.1. The applicant must be a genuine student.

Points Requirement

ST 6.1. The applicant must be awarded a total of 70 points based on the table below.

Points type	Relevant requirements to be met	Number of points
Study (must meet all)	<ul style="list-style-type: none">- <i>Confirmation of Acceptance for Studies</i> requirement- Course requirement- <i>Approved qualification</i> requirement- Level of study requirement	50

	- Place of study requirement	
Financial	- Financial requirement	10
English language	- English Language requirement	10

Confirmation of Acceptance for Studies requirement

ST 7.1. The *Confirmation of Acceptance for Studies* must have been issued by a *student sponsor* whose licence is still valid on the date on which the application is decided.

ST 7.2. The *Confirmation of Acceptance for Studies* must not have been issued by the *student sponsor* more than 6 months before the *date of application*.

ST 7.3. The *Confirmation of Acceptance for Studies* must not have been used in a previous application which was either granted or refused (but could have been relied upon in a previous application which was rejected as invalid, made void or withdrawn).

ST 7.4. The *student sponsor* must not have withdrawn the offer to the applicant after the date that the *Confirmation of Acceptance for Studies* was issued.

ST 7.5 The *Confirmation of Acceptance for Studies* must contain the necessary information to confirm all the following requirements are met:

- (a) the course requirement; and
- (b) the *approved qualification* requirement; and
- (c) the level of study requirement; and
- (d) the place of study requirement.

ST 7.6. The *Confirmation of Acceptance for Studies* must state the cost of accommodation and fees (and any payment already made) so that the financial requirement can be assessed.

ST 7.7. The *Confirmation of Acceptance for Studies* must show how the English language requirement has been met, and where the *sponsor* has assessed the applicant's language ability, must include the information in ST 13.3. and ST 13.4.

Course requirement

ST 8.1. The application must be for a single *course of study* that meets the requirements in ST 8.2. unless it is one of the following:

- (a) a combined *pre-sessional course* which meets the requirements in ST 15.1. to 15.3; or
- (b) a full-time, salaried, elected executive position as a *Student Union Sabbatical Officer*, where the applicant is either part-way through their studies or will fill the position in the academic year immediately after their graduation; or
- (c) to enable the applicant to stay in the UK on the *Doctorate Extension Scheme* and the *Confirmation of Acceptance for Studies* has been assigned by a *higher education provider* with a *track record of compliance* and issued within 60 days of the *expected end date of a course leading to the award of a PhD* to the applicant.

ST 8.2. The application must be for a course which is one of the following:

- (a) a *full-time course at degree level* or above that leads to an *approved qualification*; or
- (b) a *full-time course* below *degree level* involving a minimum of 15 hours per *week* of organised daytime study (08:00 to 18:00, Monday to Friday) that leads to an *approved qualification*; or
- (c) a *full-time course* involving a minimum of 15 hours per *week* of organised daytime study that is a *pre-sessional course*; or
- (d) a part-time course above *degree level* that leads to an *approved qualification* where the *Confirmation of Acceptance for Studies* has been issued by a *higher education provider* with a *track record of compliance*; or
- (e) a *full-time course at degree level* or above that is recognised by *UK NARIC* as being equivalent to a UK higher education course where the *Confirmation of Acceptance for Studies* has been assigned by an *overseas higher education institution* or a *higher education provider* with a *track record of compliance*.

ST 8.3. If the course is an Association of Certified Chartered Accountants (ACCA) qualification or an ACCA Foundations in Accountancy qualification, the *student sponsor* must be an ACCA approved learning partner – student tuition at either Gold or Platinum level.

ST 8.4. If the Academic Technology Approval Scheme (ATAS) requirement in Appendix ATAS applies, the applicant must have a valid ATAS certificate and provide it with the application.

Approved qualification requirement

ST 9.1. The *course of study*, unless it is a *pre-sessional course*, must lead to an *approved qualification* which is one of the following:

- (a) validated by Royal Charter; or
- (b) awarded by a *UK recognised body*; or
- (c) covered by a legal agreement between a *UK recognised body* and another education provider or awarding body, which confirms both:
 - (i) the *UK recognised body's* independent assessment of the level of the *student sponsor's* or awarding body's programme compared to the Regulated Qualifications Framework or its equivalents; and
 - (ii) that the *UK recognised body* would admit any student who successfully completes the education provider's or the awarding body's named course onto a specific or a range of degree-level courses it provides; or
- (d) recognised by one or more recognised bodies through a formal articulation agreement with the awarding body; or
- (e) in England, Wales and Northern Ireland, is at Regulated Qualifications Framework level 3 or above; or in Scotland is accredited at Scottish Credit and Qualifications Framework level 6 or above; or
- (f) an overseas qualification that *UK NARIC* assesses as valid and equivalent to Regulated Qualifications Framework level 3 or above; or
- (g) an aviation licence, rating or certificate issued by the UK's Civil Aviation Authority.

Level of study requirement

ST 10.1. Unless it is a *pre-sessional course*, if the *Confirmation of Acceptance for Studies* has been assigned by a *probationary sponsor* the course must meet one of the following requirements:

- (a) the course will be studied in England, Wales or Northern Ireland, and the applicant is aged under 18, and the course is at Regulated Qualifications Framework level 3 or above; or
- (b) the course will be studied in England, Wales or Northern Ireland, and the applicant is aged 18 or over, and the course is at Regulated Qualifications Framework level 4 or above; or
- (c) the course will be studied in Scotland, and the applicant is aged under 18, and the course is at Scottish Credit and Qualifications Framework level 6 or above; or
- (d) the course will be studied in Scotland, and the applicant is aged 18 or over and the course is at Scottish Credit and Qualifications Framework level 7 or above.

ST 10.2. If the *Confirmation of Acceptance for Studies* has been assigned by a *student sponsor*, the course must meet one of the following requirements:

- (a) the course will be studied in England, Wales or Northern Ireland and it is at Regulated Qualifications Framework level 3 or above; or
- (b) the course will be studied in Scotland and it is at Scottish Credit and Qualifications Framework level 6 or above; or
- (c) the course is a short-term study abroad programme in the UK as part of the applicant's qualification at an *overseas higher education institution* outside of the UK, and that qualification is recognised as being at *UK bachelor's degree* level or above by *UK NARIC*; or
- (d) the course is a pre-sessional course in English language at level B2 or above of the Common European Framework of Reference for Languages; or
- (e) the course is a recognised Foundation Programme for *postgraduate doctors or dentists*; or
- (f) the course is being delivered under a partnership between a higher education institution and a research institute and is accredited at Regulated Qualifications Framework level 7 or above, or at Scottish Credit and Qualifications Framework Level 11 or above.

Place of study requirement

ST 11.1. All study that forms part of the *course of study* must take place on the premises of the *student sponsor* or a *partner institution* unless the applicant is on a course-related *work placement*, a study abroad programme overseas, or a *pre-sessional course*.

Financial requirement

ST 12.1. If the applicant is applying for *permission to stay* and has been living in the UK with *permission* for 12 months or more on the *date of application*, they will meet the financial requirement and do not need to show funds.

ST 12.2. If the applicant is applying for entry clearance or *permission to stay* and is applying as a *Student Union Sabbatical Officer* or to study on a *recognised foundation programme* as a *doctor or dentist in training*, they will meet the financial requirement and do not need to show funds.

ST 12.3. If the applicant is applying for entry clearance, or is applying for *permission to stay* and has been in the UK with *permission* for less than 12 months, the applicant must have the following funds:

(a) *Studying in London*

Type of Study	Funds required
Residential <i>Independent School</i>	Sufficient funds to pay outstanding fees (course fees and boarding fees) for one academic year
<i>Doctorate Extension Scheme</i>	£2,530
All other cases	Sufficient funds to pay any outstanding course fees as stated on the <i>Confirmation of Acceptance for Studies</i> , and £1,265 for each month of the course (up to a maximum of 9 months)

(b) *Studying outside London*

Type of Study	Funds required
Residential <i>Independent School</i>	Sufficient funds to pay outstanding fees (course fees and boarding fees) for one academic year
<i>Doctorate Extension Scheme</i>	£2,030
All other cases	Sufficient funds to pay any outstanding course fees as stated on the <i>Confirmation of Acceptance for Studies</i> , and £1,015 for each month of the course (up to a maximum of 9 months)

If the length of the applicant's course includes a part of a month, the time period will be rounded up to the next full month.

ST 12.4. If the applicant has paid a deposit to the *student sponsor* for accommodation the sponsor is providing, this deposit (up to a maximum of £1,265) can be offset against the funds required in ST 12.3.

ST 12.5. If the applicant has paid all or part of their course fees to their *student sponsor* this must be confirmed on the *Confirmation of Acceptance for Studies*, or the applicant must provide a receipt issued by the *student sponsor* confirming the amount of fees paid.

ST 12.6. Unless the applicant is relying on a student loan or an award from a Government or *international sponsorship agency*, they must show that they have held the required level of funds for a 28-day period as calculated in Appendix Finance, FIN 7.1 to FIN 7.3.

ST 12.7. Unless ST 22.1. applies the applicant must show that they met the financial requirement as specified in Appendix Finance.

English Language requirement

ST 13.1. The applicant must show English language ability on the Common European Framework of Reference for Languages in all four components (reading, writing, speaking and listening) of at least:

- (a) level B2, where the applicant is studying a course at *UK bachelor's degree level* or above; or
- (b) level B1, where the applicant is studying a *pre-sessional* course or a course below *UK Bachelor's degree level*.

ST 13.2. The applicant must show they meet the English Language requirement as specified in Appendix English Language.

ST 13.3 Where the *student sponsor* has assessed that the *Student* meets the English language requirement, they must state this and the method of assessment on the *Confirmation of Acceptance for Studies*.

ST 13.4 Where a Secure English Language Test is required, the name of the test provider, the unique reference number for the test and the score for each component tested (reading, writing, listening, speaking) must be included on the *Confirmation of Acceptance for Studies*.

Academic Progress requirement

ST 14.1. An applicant who has or previously had *permission* on the *Student* route and is applying for *permission to stay* as a *Student* must have *successfully completed* the *course of study* for which they were last granted *permission* on the *Student* route, unless one of the exceptions in ST 14.4. applies, or they are applying to progress to a higher level course as specified in ST 14.3.(a) or (b).

ST 14.2. An applicant who has or previously had *permission* on the *Student* route and is applying for *permission to stay* as a *Student* must show academic progress from the previous courses of study unless one of the exceptions in ST 14.4. applies.

ST 14.3. An applicant will show academic progress if they are applying for any of the following:

- (a) to progress from a bachelor's to master's level course which is part of an integrated master's course, where the applicant has been offered a place on a higher-level course by the *student sponsor* after an assessment of their academic ability; or
- (b) to progress from a master's to a PhD which is part of an integrated master's and PhD programme, where the applicant has been offered a place on a higher-level course by the *student sponsor* after an assessment of their academic ability; or
- (c) a course which is above the level of the previous *course of study* for which they were last granted *permission* unless:
 - (i) the *student sponsor* is a *higher education provider* with a *track record of compliance*; and
 - (ii) the course is at *degree level* or above; and

- (iii) the new course is at the same level as the previous *course of study*; and
- (iv) the *student sponsor* confirms that either:
 - (a) the new *course of study* is related to the applicant's previous *course of study* (meaning that it is either connected to the previous course, part of the same subject group, or involves deeper specialisation); or
 - (b) the combination of the previous *course of study* and the new *course of study* support the applicant's genuine career aspirations.

ST 14.4. An applicant does not need to show academic progress where they:

- (a) are applying to re-sit examinations or repeat modules under ST 14.5; or
- (b) have previously re-sat examinations or repeated modules under ST 14.5. and are applying to complete the course for which those examinations were re-sat or modules repeated; or
- (c) are applying to continue studying with their current *student sponsor* for the purpose of completing the PhD or other doctoral qualification for which study was undertaken during their last period of *permission* as a *Student*; or
- (d) are making an application to move to a new *student sponsor* to complete a *course of study* begun at a *student sponsor* that has subsequently had its licence revoked; or
- (e) are applying to undertake a role as a *Student Union Sabbatical Officer*; or
- (f) after undertaking a period as a *Student Union Sabbatical Officer* are applying to complete the qualification for which the *Confirmation of Acceptance for Studies* was assigned before that period; or
- (g) are applying for *permission to stay* under the *Doctorate Extension Scheme* or as a *postgraduate doctor or dentist* on a recognised *Foundation Programme*; or
- (h) are applying to undertake an intercalated bachelor's or master's degree course or PhD where they are studying medicine, veterinary medicine and science, or dentistry as their principal *course of study*, or to complete their principal course, having completed a period of intercalation; or
- (i) are applying to undertake a study abroad programme or *work placement* which is both integral to and assessed as part of the course, or to complete their course, having completed a study abroad programme or *work placement*.

ST 14.5. If the applicant is re-sitting examinations or repeating a module of a course, the applicant must not previously have re-sat the same examination or repeated the same module, more than once (they can only do so twice), unless the sponsor is a *student sponsor* (and is not a *probationary sponsor*).

Combined Pre-sessional Course requirement

ST 15.1. A single *Confirmation of Acceptance for Studies* can be assigned for a combined *pre-sessional course* and a main course at *degree level* or above by a *higher education provider* with a *track record of compliance* if:

- (a) the *pre-sessional course* lasts no longer than 3 months; and
- (b) the main course will begin no more than one month after the *pre-sessional course* ends.

ST 15.2. If the applicant has been assessed as having at least level B2 in order to meet the English language requirement at ST 13.1, the *Confirmation of Acceptance for Studies* must confirm that the applicant has an unconditional offer of a place on the main course.

ST 15.3 If the applicant has been assessed as having at least level B1 in order to meet the English language requirement at ST 13.1, the *Confirmation of Acceptance for Studies* must confirm that the *student sponsor* is satisfied that the applicant will have at least level B2 at the end of the *pre-sessional course*.

Postgraduate Doctor or Dentist requirement

ST 16.1. If the applicant is applying to be a *postgraduate doctor or dentist* on a recognised Foundation Programme, they must have both:

- (a) *successfully completed* a recognised *UK bachelor's degree* or above in medicine or dentistry; and
- (b) previously been granted *permission* as a *Student*, for at least two academic years, which must include the final year, of their *UK bachelor's degree* or above in medicine or dentistry.

Work Placement requirement

ST 17.1. A course that includes a *work placement* must lead to an *approved qualification* and the *Confirmation of Acceptance for Studies* must be assigned by a *student sponsor* (who is not a *probationary sponsor*).

ST 17.2. A *work placement* must be assessed as an integral part of the course and must not be longer than one third of the total length of the course, except when there is a statutory requirement that it must be so, or where ST 17.3. applies.

ST 17.3. A *work placement* on a course that is at *degree level* or above at a *higher education provider* with a *track record of compliance* or at an *overseas higher education institution* must not be longer than half of the total length of the course.

Doctorate Extension Scheme requirement

ST 18.1. Where the applicant is applying for *permission to stay* on the *Doctorate Extension Scheme* the *Confirmation of Acceptance for Studies* must not have been issued more than 60 days before the *expected end date of a course leading to the award of a PhD* to the applicant.

ST 18.2. Where the applicant is applying for *permission to stay* on the *Doctorate Extension Scheme*:

- (a) the applicant must not have had previous *permission* on the *Doctorate Extension Scheme*; and
- (b) the applicant must have *permission* as a *Student* and must be following a course leading to the award of a PhD; and
- (c) the applicant must be sponsored by a *higher education provider* with a *track record of compliance* and that *student sponsor* must be the body awarding the PhD; and
- (d) the *date of application* must not be more than 60 days before the *expected end date of a course leading to the award of a PhD* for which the *student sponsor* issued the applicant's previous *Confirmation of Acceptance for Studies*.

Maximum period of study requirement

ST 19.1. If the course is below *degree level*, the grant of *permission* must not lead to the applicant being granted more than two years on the *Student* route to study courses below *degree level* from the age of 18 unless ST 19.2. applies.

ST 19.2. If the course is below *degree level* but is subject to a regulatory requirement by the Maritime and Coastguard Agency that the applicant must spend at least 12 months at sea as a part of that course, the grant of *permission* must not lead to the applicant being granted more than 3 years on the *Student* route from the age of 18 to study courses below *degree level*.

ST 19.3. If the course is at *degree level*, the grant of *permission* must not lead to the applicant being granted more than five years on the *Student* route from the age of 18 to study courses at *degree level* unless the *course of study* is one of those listed at ST 19.4.

ST 19.4. The five-year maximum period of study at degree level in ST 19.3. will not apply if the applicant has a *Confirmation of Acceptance for Studies* that has been assigned for a *course of study* in one of the following subjects:

- (a) architecture; or
- (b) medicine; or
- (c) dentistry; or
- (d) veterinary medicine and science; or
- (e) music at a music college that is a member of Conservatoires UK; or
- (f) law, where the applicant has completed a course at *degree level* or above and is applying for a *course of study* which is:
 - (i) a law conversion course validated by the Solicitors Regulation Authority and the Bar Standards Board in England and Wales; or
 - (ii) Masters in Law (MLaw) in Northern Ireland; or
 - (iii) an accelerated graduate LLB in Scotland.

ST 19.5. If the applicant has previously been granted *permission* as a *postgraduate doctor or dentist*, the grant of *permission* to the applicant must not lead to the applicant having been granted more than 3 years as a *postgraduate doctor or dentist*.

ST 19.6. When calculating the period of *permission* granted under ST 19.1. to ST 19.5, any period of *permission* on the *Student* route extended under section 3C of the Immigration Act 1971 will count towards the period of *permission* granted.

Documents used to obtain an offer requirement

ST 20.1. The applicant must provide evidence of the qualifications or references they used to obtain the offer of a place on the *course of study* from the *student sponsor*, unless either:

- (a) the applicant is applying for a *course of study* at *degree level* or above and is sponsored by a *higher education provider* with a *track record of compliance*;
or
- (b) ST 22.1. applies.

ST 20.2. The evidence of each qualification must be one of the following:

- (a) the certificate(s) of qualification; or
- (b) the transcript of results; or
- (c) a print out of the qualification or transcript results from the awarding body's online checking service.

ST 20.3. Where the applicant has provided a print out of qualifications or transcript results from the awarding body's online checking service, the decision maker may require the applicant to provide the certificate of qualification or transcript of results.

Parental consent requirement

ST 21.1. If the applicant is aged 16 or 17, they must have written consent from:

- (a) both *parents*; or
- (b) one *parent*, if that *parent* has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

ST 21.2. The written consent must confirm support for all of the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

Differential evidence requirement

ST 22.1. Evidence to show that the applicant meets the financial requirement and the requirement to provide documents used to obtain an offer does not need to be provided with the application (but may be required by the decision maker) if the applicant is applying from the country or territory where they are living, or from in the UK, and the applicant either:

- (a) holds a valid passport which shows they are registered as a British National (Overseas), or which was issued by the competent authorities of Hong Kong SAR, Macau SAR or Taiwan (which includes the number of the identification card issued by the competent authority in Taiwan); or
- (b) is a national of any of the following:
 - Australia
 - Austria
 - Bahrain
 - Barbados
 - Belgium
 - Botswana
 - Brazil
 - Brunei
 - Bulgaria
 - Cambodia
 - Canada
 - Chile
 - China
 - Croatia
 - Republic of Cyprus
 - Czech Republic
 - Denmark

- The Dominican Republic
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Indonesia
- Ireland
- Italy
- Japan
- Kazakhstan
- Kuwait
- Latvia
- Liechtenstein
- Lithuania
- Luxembourg
- Malaysia
- Malta
- Mauritius
- Mexico
- Netherlands
- New Zealand
- Norway
- Oman
- Peru
- Poland
- Portugal
- Qatar
- Romania
- Serbia
- Singapore
- Slovakia
- Slovenia
- South Korea
- Spain
- Sweden
- Switzerland
- Thailand
- Tunisia
- United Arab Emirates
- United States of America

Information on a Confirmation of Acceptance for Studies requirement

ST 23.1. The *student sponsor* must provide all the following information about the *course of study* on the *Confirmation of Acceptance for Studies*:

- (a) title of course; and
- (b) academic level of course; and
- (c) course start and end dates; and
- (d) hours of study per *week*, including confirmation on whether the course is part-time or *full-time*; and
- (e) the address of the main place of study; and
- (f) the cost of accommodation and fees; and
- (g) if the *student sponsor* has assessed the applicant by use of one or more references, the *Confirmation of Acceptance for Studies Checking Service* entry must include details of the references assessed; and
- (h) if the course involves a *work placement*, details of any *work placement* relating to the course; and
- (i) if the course will be provided by an education provider that is not the *student sponsor*, details of the *partner institution*; and
- (j) if the ATAS requirement in Annex ATAS applies; and
- (k) confirmation if the course is a recognised Foundation Programme for *postgraduate doctors or dentists*, and requires a certificate from the Postgraduate Dean; and
- (l) a statement of how the *student sponsor* has assessed the applicant's English language ability including, where relevant, the applicant's English language test scores in all four components (reading, writing, speaking and listening); and
- (m) if the course is part of a study abroad programme, the name and address of the *partner institution*; and
- (n) if the applicant is applying for a full-time, salaried, elected executive position as a *Student Union Sabbatical Officer* and is part-way through their studies or being sponsored to fill the position in the academic year immediately after their graduation; and
- (o) if it was issued for the *Doctorate Extension Scheme*, that it was issued within 60 days of the *expected end date of a course leading to the award of a PhD* and the applicant is sponsored by a *higher education provider* with a *track record of compliance*; and
- (p) if the applicant has previously been granted *permission* as a *Student*, confirmation that the new course meets requirements concerning *academic progress* as from the previous *course of study* undertaken as required by ST 14.1. to ST 14.5.

Decision

ST 24.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the *Student* route are met, the application will be granted, otherwise the application will be refused.

ST 24.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Conditions and period of grant

ST 25.1. The grant of *permission* will be subject to the following conditions:

- (a) no access to *public funds*; and

- (b) no work except as specified in ST 26; and
- (c) no study except as specified in ST 27; and
- (d) if Part 10 applies, the person will be required to register with the police.

ST 25.2. The applicant will be granted *permission* for the duration of the course as specified on the *Confirmation of Acceptance for Studies* plus the relevant periods specified in ST 25.3.

ST 25.3. The period of *permission* granted to an applicant before the start of the course who is applying for entry clearance will be either:

- (a) the relevant period before the course date which is set out in the table below, if entry clearance is granted 1 month or more before the start date of the course; or
- (b) 7 days before the intended date of travel, if entry clearance is granted less than 1 month before the start date of the course; or
- (c) with immediate effect, if entry clearance is granted less than 7 days before the intended date of travel and less than 1 month before the start date of the course.

The applicant will be granted a period of *permission* dependent on the type and length of course as in the table below:

Type of Course	Period granted before course start date	Period granted after course end date
A course of 12 months or longer	1 Month	4 Months
A course of 6 months or longer but shorter than 12 months	1 Month	2 Months
A pre-sessional course of less than 6 months	1 Month	1 Month
A course as a <i>Postgraduate doctor or dentist</i>	1 Month	1 Month
A course of less than 6 months in length which is not a pre-sessional course	7 Days	7 Days

Permission to stay on the *doctorate extension scheme* will be granted for 12 months from the expected end date of the course shown on the *Confirmation of Acceptance for Studies*.

Work Conditions

ST 26.1. The applicant will be granted *permission* with the following *employment* conditions:

Type of study	Employment conditions
<p><i>Student following a full-time course of degree level or above study:</i></p> <ul style="list-style-type: none"> • sponsored by a <i>higher education provider with a track record of compliance</i>; or • sponsored by an <i>overseas higher education institution</i> to undertake a short-term study abroad programme in the UK 	<p>20 hours per <i>week</i> during term-time (full-time <i>employment</i> permitted outside of term-time)</p>
<p><i>Student undertaking a full-time course below degree level study sponsored by a higher education provider with a track record of compliance</i></p>	<p>10 hours per <i>week</i> during term-time (full-time <i>employment</i> permitted outside of term-time)</p>
<p>All other study, including all part-time study</p>	<p>No <i>employment</i> permitted</p>

ST 26.2. *Students* are permitted to undertake work related to a *work placement*, assessed as an integral part of the course, that meets the requirements at ST 17.1. to ST 17.3.

ST 26.3. *Employment* as an elected *Student Union Sabbatical Officer* or elected National Union of Students (NUS) position is permitted for up to two years if the *Confirmation of Acceptance for Studies* was assigned for this purpose.

ST 26.4. Where a *Student* has *successfully completed* a PhD at a *higher education provider with a track record of compliance*, and has been granted *permission to stay* as a *Student* on the *Doctorate Extension Scheme* or has made a *valid application* for *permission to stay* as a *Student* on the *Doctorate Extension Scheme* but has not yet received a decision on that application, the *Student* is permitted to work in any role, except for:

- (a) *employment* as a *Doctor or Dentist in Training*; and
- (b) *employment* as a *professional sportsperson* (including as a sports coach).

ST 26.5. A *Student* is not allowed to do any of the following:

- (a) *be self-employed* or engage in business activity unless ST 26.4. or ST 26.8 apply; or
- (b) work as a *Doctor or Dentist in training* unless ST 26.7. applies; or
- (c) work as a *professional sportsperson* (including as a sports coach); or
- (d) work as an *entertainer* unless ST 26.4. applies; or
- (e) work in a position which would fill a permanent full-time vacancy.

ST 26.6. If a *Student* makes an application for *permission to stay* under Tier 2, supported by a *Certificate of Sponsorship* assigned by a licensed Tier 2 Sponsor, the

Student can start the *employment* for which the *Certificate of Sponsorship* was assigned, for up to 3 months prior to the course completion date, provided:

- (a) the applicant is studying a *full-time course of study* at *degree level* or above with a *higher education provider* with a *track record of compliance*; and
- (b) the applicant has *permission* as a *Student*; and
- (c) a decision has not been made on the Tier 2 application, or where a decision has been made, any *administrative review* against a refusal has not been finally determined.

ST 26.7. *Employment* as a *postgraduate doctor or dentist* is permitted if the *Student* is on a recognised *Foundation Programme*.

ST 26.8. A *Student* may be *self-employed*, if:

- (a) they have applied for *permission* on the Start-up route; and
- (b) the application is supported by an endorsement from a Start-up route endorsing body which is a *higher education provider* with a *track record of compliance*; and
- (c) the application was submitted when the applicant had *permission* as a *Student*; and
- (d) a decision has not been made on the application, or where the application has been refused, any *administrative review* against a refusal has not been finally determined.

Study Condition

ST 27.1. A *Student* must only study with the *student sponsor* which assigned the *Confirmation of Acceptance for Studies* unless either:

- (a) the *Student* is studying at a *partner institution* of their *student sponsor*; or
- (b) the *Student* has made an application for *permission to stay* while they have *permission* as a *Student*:
 - (i) which is supported by a valid *Confirmation of Acceptance for Studies* assigned by a *student sponsor*; and
 - (ii) the application has not yet been decided, or any *administrative review* against that decision has not been determined; and
 - (iii) the *Student* will be studying at the *student sponsor* that assigned the *Confirmation of Acceptance for Studies*.

ST 27.2. A *Student* must only study on the *course of study*, or courses where a combined *pre-sessional course* is being taken, for which the *Confirmation of Acceptance for Studies* was assigned unless ST 27.3. applies.

ST 27.3. A *Student* may begin studying on a new course with their current *student sponsor* if:

- (a) the *student sponsor* is a *higher education provider* with a *track record of compliance*; and
- (b) the *Student* has not completed the course that the *Confirmation of Acceptance for Studies* was assigned for; and
- (c) the new course is not at a lower qualification level than the course the *Confirmation of Acceptance for Studies* was assigned for; and
- (d) the course is at *degree level* or above; and

- (e) any new course at *degree level* can be completed within the current period of *permission*; and
- (f) the *student sponsor* confirms that new course is related to the course that the *Confirmation of Acceptance for Studies* was assigned for or supports the *Student's* genuine career aspirations.

ST 27.4. The *Student* may study on a study abroad programme overseas that is an integral and assessed part of the *course of study* named on the *Confirmation of Acceptance for Studies*.

ST 27.5. Supplementary study is permitted.

ST 27.6. Study is subject to the ATAS condition in Appendix ATAS.

ST 27.7. The *Student* must not study at a *State School or Academy* except for voluntary grammar schools with boarding in Northern Ireland or, if the *Student* has been granted *permission* as a *Student* to study at a *student sponsor* which becomes a *State School or Academy* during that period of *permission*, in which case the *Student* may complete the course for which the *Confirmation of Acceptance for Studies* was assigned.

Dependants of a Student

Validity requirements for a dependant partner or dependant child of a Student

ST.28.1. A person applying for entry clearance or *permission to stay* as a *partner* or child of a *Student* must apply on the specified form on gov.uk as follows:

Location	Form
Outside the UK	Dependant Partner visa – PBS, Start up, Innovator or Global talent Dependant Child visa – PBS, Start up, Innovator or Global talent
Inside the UK	If applying at the same time as the main applicant, they can be included in the form Student; If applying separately, PBS, Start-up, Innovator or Global Talent dependant partner PBS, Start-up, Innovator or Global Talent dependant child

ST 28.2. An application for entry clearance or *permission to stay* as a *partner* or child of a *Student* must meet all the following requirements:

- (a) any *fee* and *Immigration Health Charge* must have been paid; and
- (b) the applicant must have provided any required *biometrics*; and
- (c) the applicant must have provided a *passport* or other travel document which satisfactorily establishes their identity and nationality.

ST 28.3. If the applicant has in the 12 months before the *date of application* been awarded a scholarship or sponsorship by a Government or *international sponsorship*

agency covering both fees and living costs, they must provide written consent to the application from that Government or agency.

ST 28.4. An applicant who is in the UK on the *date of application* must not have, or have last been granted, *permission*:

- (a) as a *Visitor*; or
- (b) as a *Short-term Student*; or
- (c) as a Parent of a *Child Student*; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

ST 28.5. An applicant who is in the UK on the *date of application* must not be on immigration bail.

ST 28.6. An application which does not meet the validity requirements for a *partner* or child on the Student route is invalid and may be rejected and not considered.

Suitability requirements for a dependant partner or dependant child of a Student

ST 29.1. The suitability requirements for a *partner* or child on the *Student* route are that they must not fall for refusal under Part 9: grounds for refusal.

ST 29.2. The applicant must not be in the UK *in breach of immigration laws*, except that, where paragraph 39E applies, any current period of *overstaying* will be disregarded.

Eligibility requirements for a dependant partner or dependant child of a Student

Entry requirement for a dependant partner or dependant child of a Student

ST 30.1. A person seeking to come to the UK as a *partner* or child of a *Student* must apply for and obtain entry clearance as a *partner* or child before they arrive in the UK.

ST 30.2. A person applying for entry clearance to come to the UK as a *partner* or child for more than 6 months must meet the requirements for a tuberculosis certificate if the criteria specified in paragraph A39 and in Appendix T apply.

Student course requirement for a dependant partner or dependant child of a Student

ST 31.1. Unless they are a child who meets the requirements in ST 31.2, the applicant must be the *partner* or child of a person who is:

- (a) a *Student* who has received an award from a Government or *international sponsorship agency* and has, or is applying for, *permission* to study on a *full-time* course of 6 months or longer; or
- (b) a *full-time Student* who has, or is applying for, *permission* to study a *postgraduate level* course of 9 months or longer at a *higher education provider* with a *track record of compliance*; or
- (c) a *Student* who has *permission* on the *Doctorate Extension Scheme*; or
- (d) a *Student* who has, or had within the last 3 months before the *date of application*, *permission* to study on a *full-time* course of 6 months or longer, and is

now applying for *permission* to study a *full-time* course of 6 months or longer where either:

- (i) the *partner* or child already has, or had within the last 3 months before the *date of application*, *permission* as a dependant *partner* or dependant child of the *Student*; or
- (ii) the child was born since the last grant of *permission* to the *Student*, where the *Student* and *partner* or child are applying at the same time.

ST 31.2. If the applicant is a child who does not meet the requirement at ST.31.1, they must instead meet one of the following requirements:

- (a) the applicant must have been born during the *Student's* current period of *permission* to study a *full-time course* of 6 months or longer and they are applying for *permission* during that period; or
 - (b) where the *Student* has *permission* to re-sit examinations or repeat a module of a *full-time course* of 6 months or longer, the applicant must have been born either:
 - (i) during the *Student's* original period of *permission*; or
 - (ii) during the period of *permission* granted for re-sitting examinations or to repeat a module;
- or
- (c) the applicant must have been born no more than 3 months after the expiry of the *Student's* most recent *permission* and must be making an application for entry clearance within 6 months of the expiry of their parent's most recent *permission*.

Relationship requirement for dependant partner of a Student

ST 32.1. Paragraphs 277 to 280 of these Rules apply to spouses or *civil partners* of a *Student*.

ST 32.2. The applicant and their *partner* (who is a *Student*, or applying at the same time as a *Student*), must both be aged 18 or over at the *date of application*.

ST 32.3. If the applicant and their *partner* (who is a *Student*, or applying at the same time as a *Student*) are not married or in a civil partnership, all the following requirements must be met:

- (a) they must have been living together in a relationship similar to marriage or civil partnership for at least the two years before the *date of application*; and
- (b) any previous relationship of the applicant and their *partner* with another person must have permanently broken down; and
- (c) the applicant and their *partner* must not be so closely related that they would not have been allowed to marry in the UK.

ST 32.4. The relationship must be genuine and subsisting.

ST 32.5. The applicant and their *partner* (who is a *Student*, or applying at the same time as a *Student*) must intend to live together throughout the applicant's stay in the UK.

ST 32.6. The applicant must not intend to stay in the UK beyond any *permission* granted to their *partner* (who is a *Student* or applying at the same time as a *Student*).

Financial requirement for dependant partner of a Student

ST 33.1. If the applicant is applying for *permission to stay* and has been living in the UK with *permission* for 12 months or longer on the *date of application*, they will meet the financial requirement and do not need to show funds.

ST 33.2. If the applicant is applying for entry clearance or *permission to stay* where they have been in the UK less than 12 months, the *Student* or applicant must have funds specified in the table below, up to a total of 9 months or for the period of *permission* applied for by the applicant *r*, whichever is the shorter.

Place of Student's study	Funds required
<i>Studying in London</i>	£845 per month
<i>Studying outside London</i>	£680 per month

ST 33.3. The funds must be in addition to the funds required for the *Student* to meet the financial requirement, and the funds required to meet the financial requirement for any dependant child who is applying at the same time, or is already in the UK as a dependant of the *Student*.

ST 33.4. Unless the applicant is relying on financial sponsorship from a Government or *international sponsorship agency* that covers living costs of the *Student* and their *partner*, they must show that they have held the required level of funds for a 28-day period as calculated in Appendix Finance, FIN 7.1 to FIN 7.3.

ST 33.5. Unless the applicant is applying at the same time as the *Student* and ST 22.1. applies, the applicant must show that they have the required funds as specified in Appendix Finance.

Relationship requirement for dependant child of a Student

ST 34.1. Paragraph 296 of these Rules applies to a child of a *Student*.

ST 34.2. The applicant must be the child of a *parent* who has, or is at the same time being granted *permission* as:

- (a) a *Student*, or
- (b) the *partner* of a *Student*.

ST 34.3. Each of the applicant's *parents* must either be applying at the same time as the applicant or have *permission* to be in the UK (other than as a *visitor*) unless:

- (a) the *parent* with *permission* as a *Student* or as a *partner* of a *Student* is the sole surviving *parent*; or
- (b) the *parent* with *permission* as a *Student* or as a *partner* of a *Student* has sole responsibility for the child's upbringing; or
- (c) the decision maker is satisfied that there are serious and compelling reasons to grant the child entry clearance or *permission to stay* with the *parent* who has *permission* on the *Student* route or as a dependant *partner* of a *Student*.

ST 34.4. If the applicant is a child born in the UK to a *Student* and their *partner*, the applicant must provide a full UK birth certificate showing the names of both *parents*.

Care requirement for a dependant child of a Student

ST 35.1. The child must live with a *parent* who has *permission* on the *Student* route during their stay in the UK, unless they can demonstrate a valid reason why they should not live with that *parent* but they have *not been leading an independent life*.

ST 35.2. There must be suitable arrangements for the child's care and accommodation in the UK which must comply with relevant UK legislation and regulations.

Age requirement for a dependant child of a Student

ST 36.1. The child must be under the age of 18 at the *date of application*, unless they were last granted *permission* as a dependant child of the *parent* who has or is applying for entry clearance or *permission to stay* as a *Student* or as a dependant partner of a *Student* (regardless of the route under which the *parent* had *permission* at the time the child's last *permission* was granted).

ST 36.2. If the child is aged 16 or over at the *date of application*, they must meet both of the following requirements:

- (a) they must not be married or in a civil partnership; and
- (b) they must not be leading an independent life.

Financial requirement for dependant child of a Student

ST 37.1. If the applicant is applying for *permission to stay* and has been in the UK with *permission* for 12 months or longer on the *date of application*, they will meet the financial requirement and do not need to show funds.

ST 37.2. Where the child is applying for entry clearance or *permission to stay* and they have been in the UK less than 12 months, the *Student* or child must have funds specified in the table below, up to a total of 9 months or for the period of *permission* applied for by the child, whichever is the shorter.

Place of Student's study	Funds required
<i>Studying in London</i>	£845 per month
<i>Studying outside London</i>	£680 per month

ST 37.3 The funds must be in addition to the funds required for the *Student* to meet the financial requirement, and the funds required for any other dependant of a *Student* who is applying at the same time or is already in the UK as a dependant of the *Student*.

ST 37.4. Unless the applicant is relying on financial sponsorship from a Government or *international sponsorship agency* that covers living costs of the *Student* and the dependant child, they must show that they have held the required level of funds for a 28-day period as calculated in Appendix Finance, FIN 7.1 to FIN 7.3.

ST 37.5. Unless the child is applying at the same time as the *Student* and ST 22.1. applies, the applicant must show that they have the required funds as specified in Appendix Finance.

Decision on application for a dependant partner or dependant child of a Student

ST 38.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the dependant of a Student are met, the application will be granted, otherwise the application will be refused.

ST 38.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Conditions and period of grant

ST 39.1. If the application is granted, a *partner* will be granted *permission* which ends on the same date as the *Student's permission*.

ST 39.2 If the application is granted, a child will be granted *permission* which ends on the same date as whichever of their *parents' permission* ends first.

ST 39.3 The grant of *permission* will be subject to all the following conditions:

- (a) no access to *public funds*; and
- (b) work (including self-employment and voluntary work) is permitted except:
 - (i) where the dependant meets the requirement at ST 31.1 (d) and the *Student* has been granted less than 9 months' *permission*, unless that is to continue a *course of study* where they had previously been granted at least 9 months' *permission*; or
 - (ii) where the dependant meets the requirement at ST 31.1 (d) and the *Student* is studying a course below degree level; or
 - (iii) for *employment* as a *professional sportsperson* (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS (if the study will commence when the *partner* or *child* is aged over 18); and
- (d) if Part 10 applies the person will be required to register with the police.”.

Insertion of new Appendix CS

CS.1 After new Appendix ST: Student, insert new appendix:

“Appendix CS: Child Student

The Child Student route is for a person aged between 4 and 17 who wants to study at an independent school in the UK, which is a student sponsor.

A person aged 16 or 17 who wants to study a course at or above Regulated Qualifications Framework level 3 or Scottish Credit and Qualifications Framework level 6 can choose either to apply as a Child Student at an independent school or as a Student under Appendix ST: Student.

Validity requirements for a Child Student

CS 1.1. A person applying for entry clearance or *permission to stay* on the *Child Student* route must apply on the specified form on gov.uk as follows:

Location	Applicant	Form
Outside the UK	<i>EEA nationals</i> with a chipped passport	Child Student

	Other applicants	Child Student visa
Inside the UK	All applicants	Child Student

CS 1.2. An application for entry clearance or *permission to stay* on the *Child Student* route must meet all the following requirements:

- (a) the applicant must be between 4 and 17 years old at the *date of application*; and
- (b) any *fee* and *Immigration Health Charge* must have been paid; and
- (c) the applicant must have provided any required *biometrics*; and
- (d) the applicant must have provided a *passport* or other travel document which satisfactorily establishes their identity and nationality; and
- (e) the applicant must on the *date of application* have a *Confirmation of Acceptance for Studies reference number* that was issued to them before the *date of application*.

CS 1.3. If the applicant has in the last 12 months received an award from a Government or *international sponsorship agency* covering both fees and maintenance, they must provide written consent to the application from that Government or agency.

CS 1.4. An applicant who is in the UK on the *date of application* must not have, or have last been granted *permission*:

- (a) as a *Visitor*; or
- (b) as a *Short-term Student*; or
- (c) outside the Immigration Rules.

CS 1.5. An applicant who is in the UK on the *date of application* must not be on immigration bail.

CS 1.6. An application which does not meet all the validity requirements is invalid and may be rejected and not considered.

Suitability requirements for the Child Student route

CS 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CS 2.2. The applicant must not be in the UK *in breach of immigration laws*, except that, where paragraph 39E applies, any current period of *overstaying* will be disregarded.

Eligibility requirements for the Child Student route

Entry requirement for Child Student route

CS 3.1. A person seeking to come to the UK on the *Child Student* route must apply for and obtain an entry clearance as a *Child Student* before they arrive in the UK.

CS 3.2. A person applying for entry clearance on the *Child Student* route for more than 6 months must meet the requirements for a tuberculosis certificate if the criteria specified in paragraph A39 and in Appendix T apply.

Date of application requirement for Child Student route

CS 4.1. An application for entry clearance as a *Child Student* must be made no more than 6 months before the start date of the course as stated on the *Confirmation of Acceptance for Studies*.

CS 4.2. An application for *permission to stay* must be made no more than 3 months before the start date of the course on the *Confirmation of Acceptance for Studies*.

CS 4.3. An application for *permission to stay* must be for a course with a start date no more than 28 days after the expiry date of the previous *permission to stay*.

Genuine Child Student Requirement

CS 5.1. An applicant aged 16 or 17 years old must be a genuine student.

Points Requirement

CS 6.1. The applicant must be awarded a total of 70 points based on the table below:

Points type	Relevant requirements to be met	Number of points
Study	<ul style="list-style-type: none">- <i>Confirmation of Acceptance for Studies</i> requirement- Course requirement- Study at an <i>independent school</i>- Aged between 4 and 17 when applying- Parental consent	50
Financial	<ul style="list-style-type: none">- Financial requirement	20

Confirmation of Acceptance for Studies requirement for Child Student route

CS 7.1. The *Confirmation of Acceptance for Studies* must have been issued by a *student sponsor which is an independent school* whose licence is still valid on the date on which the application is decided.

CS 7.2. The *Confirmation of Acceptance for Studies* must not have been issued by the *student sponsor* more than 6 months before the *date of application*.

CS 7.3. The *Confirmation of Acceptance for Studies* must not have been used in a previous application which was either granted or refused (but could have been submitted in a previous application which was rejected as invalid, made void or withdrawn).

CS 7.4. The *student sponsor* must not have withdrawn the offer since the *Confirmation of Acceptance for Studies* was issued.

CS 7.5. The *Confirmation of Acceptance for Studies* must contain the necessary information to confirm that the course requirement is met.

CS 7.6. The *Confirmation of Acceptance for Studies* must state the cost of accommodation and fees (and any payment already made) so that the financial requirement can be assessed.

Course requirement for Child Student route

CS 8.1. The application must be for a single *course of study* that meets the requirements in CS 8.2. unless it is for a combined *pre-sessional course* that meets the requirement at CS 11.1.

CS 8.2. The course for which the *Confirmation of Acceptance for Studies* has been assigned must be one of the following:

- (a) taught in accordance with the National Curriculum; or
- (b) taught in accordance with the Recognised Qualification Framework (RQF), and is not a foundation course intended to prepare the *Child Student* for entry to a course provided by a *higher education provider*; or
- (c) accepted as being of equivalent academic status to (a) or (b) above by Ofsted (England), the Education and Training Inspectorate (Northern Ireland), Education Scotland (Scotland) or Estyn (Wales); or
- (d) provided in accordance with prevailing *Independent School* education inspection standards.

Parental consent requirement for Child Student route

CS 9.1. The applicant must have written consent from:

- (a) both *parents*; or
- (b) one *parent*, if that *parent* has sole legal responsibility for the applicant; or
- (c) the applicant's legal guardian.

CS 9.2. The written consent must confirm support for all the following:

- (a) the application; and
- (b) the applicant's living and care arrangements in the UK; and
- (c) if the application is for entry clearance, the applicant's travel to, and reception arrangements in, the UK.

CS 9.3. If the applicant will be living with a *close relative* or *private foster carer*, that *close relative* or foster carer must be:

- (a) a British citizen; or
- (b) *settled* in the UK.

CS 9.4. The *close relative* or *private foster carer* (the intended carer) must provide a letter of undertaking which contains the following information:

- (a) the name, current address and contact details of the intended carer; and
- (b) the address where the intended carer and the applicant will be living in the UK if different from the intended carer's current address; and
- (c) confirmation that the accommodation offered to the applicant is a private address, and not operated as a commercial enterprise, such as a hotel or a youth hostel; and
- (d) the nature of the relationship between the applicant's *parent(s)* or legal guardian and the intended carer; and
- (e) that the intended carer agrees to the care arrangements for the applicant; and
- (f) that the intended carer has at least £570 per month available to look after and accommodate the applicant for each month of the course up to a maximum of 9 months; and
- (g) a list of any other people that the intended carer has offered support to; and
- (h) the intended carer's signature and date of the letter of undertaking.

CS 9.5 If the applicant is staying in a *private foster care arrangement* and is under 16 years old, they must also provide:

- (a) a copy of the letter of notification from their *parent*), legal guardian or intended carer to the UK local authority, confirming that the applicant will be in the care of a private foster carer while in the UK; and
- (b) the UK local authority's confirmation of receipt, confirming that the local authority has received notification of the private foster care arrangement and have given permission to the arrangement.

Financial requirement for Child Student route

CS 10.1. If the applicant is applying for *permission to stay* and has been in the UK with *permission* for 12 months or longer on the *date of application*, they will meet the financial requirement and do not need to show funds.

CS 10.2. Where the applicant is applying for entry clearance or *permission to stay* where they have been in the UK for less than 12 months, the applicant must have the following funds:

Living arrangements	Funds required
Boarding at a residential <i>independent school</i>	The applicant must have sufficient funds to pay the outstanding course fees and boarding fees for one academic year
Living during term-time with a <i>private foster carer</i> or <i>close relative</i> who is a British Citizen or <i>settled in the UK</i>	The applicant must have sufficient funds to pay the outstanding course fees for one academic year. The <i>private foster carer</i> or <i>close relative</i> must have funds of at least £570 per month for each month of the course up to the maximum of 9 months
Living with a <i>parent</i> or legal guardian who holds <i>permission as a Parent of a Child Student</i> .	The applicant must have sufficient funds to pay the outstanding course fees for one academic year and: <ul style="list-style-type: none"> (a) if no other children are accompanying the <i>parent</i>, £1,560 per month for each month of the course up to maximum of 9 months; and (b) if any other children are accompanying the <i>parent</i>, £625 per month for each month of the course for each additional child, up to maximum of 9 months
Aged 16 or 17 and living independently	The applicant must have sufficient funds to pay the outstanding course fees for one academic year and either: <ul style="list-style-type: none"> (a) 1,265 for each month of the course up to the maximum of 9 months where <i>studying in London</i>; or (b) £1,015 for each month of the course up to the maximum of 9 months where <i>studying outside London</i>

If the length of the applicant's course includes a part of a month, the period of time will be rounded up to the next full month.

CS 10.3. Unless the applicant is relying on a student loan or an award from a Government or *international sponsorship agency*, they must show that they have held the required level of funds for a 28-day period as calculated in Appendix Finance, FIN 7.1 to FIN 7.3.

CS 10.4. Unless CS 13.1. applies, the applicant must show they meet the financial requirement as specified in Appendix Finance.

CS 10.5. The applicant must not be financially responsible for anyone else.

Combined pre-session course requirement for Child Student route

CS 11.1. A single *Confirmation of Acceptance for Studies* can be assigned by an *independent school* for a combined *pre-session course* and a main course if:

- (a) the applicant has an unconditional offer of a place at the *independent school*;
and
- (b) the duration of the pre-session course and period of study at the *independent school* does not exceed the maximum period of *permission* granted as set out at CS 15.2.

Evidence of qualifications requirement for Child Student route

CS 12.1. Unless CS 13.1 applies, the applicant must provide evidence of the qualifications they used to obtain the offer of a place on the course from the *student sponsor*.

CS 12.2. The evidence of each *qualification* must be one of the following:

- (a) the certificate(s) of qualification; or
- (b) the transcript of results; or
- (c) a print out of the qualification or transcript results from the awarding body's online checking service.

CS 12.3. Where the applicant has provided a print out of qualifications or transcript results from the awarding body's online checking service, the decision maker may require the applicant to provide the certificate of qualification or transcript of results.

Differential evidence requirement for Child Student route

CS 13.1. Evidence to show that the applicant meets the financial requirement and the requirement to provide evidence of qualifications does not need to be provided with the application (but may be required by the decision maker) if the applicant is applying from the country or territory where they are living, or from in the UK, and the applicant either:

- (a) holds a valid passport which shows they are registered as a British National (Overseas), or which was issued by the competent authorities of Hong Kong SAR, Macau SAR or Taiwan (that includes the number of the identification card issued by the competent authority in Taiwan); or
- (b) is a national of any of the following:
 - Australia
 - Austria
 - Bahrain
 - Barbados

- Belgium
- Botswana
- Brazil
- Brunei
- Bulgaria
- Cambodia
- Canada
- Chile
- China
- Croatia
- Republic of Cyprus
- Czech Republic
- Denmark
- The Dominican Republic
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Indonesia
- Ireland
- Italy
- Japan
- Kazakhstan
- Kuwait
- Latvia
- Liechtenstein
- Lithuania
- Luxembourg
- Malaysia
- Malta
- Mauritius
- Mexico
- Netherlands
- New Zealand
- Norway
- Oman
- Peru
- Poland
- Portugal
- Qatar
- Romania
- Serbia
- Singapore
- Slovakia

- Slovenia
- South Korea
- Spain
- Sweden
- Switzerland
- Thailand
- Tunisia
- United Arab Emirates
- United States of America

Decision

CS 14.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the *Child Student* route are met, the application will be granted, otherwise the application will be refused.

CS 14.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

Conditions and period of grant

CS 15.1. The grant of *permission* will subject to the following conditions:

- (a) no access to *public funds*; and
- (b) no work until the *Child Student* is over 16 years, then work allowed as specified in CS 16.1. and
- (c) no study except as specified in CS 17; and
- (d) if Part 10 applies the person will be required to register with the police.

CS 15.2 The period of *grant* before the start of the course for an applicant applying for entry clearance will be:

- (a) the relevant period of *permission* granted before the course date which is set out in the table below, if entry clearance is granted 1 month or more before the start date of the course or; or
- (b) 7 days before the intended date of travel, if entry clearance is granted less than 1 month before the start date of the course; or
- (c) with immediate effect, if entry clearance is granted less than 7 days before the intended date of travel and less than 1 month before the start date of the course.

The applicant will be granted *permission* for the duration of the course as specified on the *Confirmation of Acceptance for Studies* and the relevant additional periods dependant on their age as specified in the table below:

Age	Period of granted before course start date	Period granted for study	Period granted after course end date
Under 16 years	1 month	The shortest of: <ul style="list-style-type: none"> • the period requested by the applicant; or 	4 months

		<ul style="list-style-type: none"> • the duration of the <i>course of study</i>; or • 6 years 	
16 or 17 years	1 month	The shortest of: <ul style="list-style-type: none"> • the period requested by the applicant; or • the duration of the <i>course of study</i>; or • 3 years 	4 months

Work Conditions for Child Student route

CS 16.1. A *Child Student* who is aged 16 or over may work:

- (a) for no more than 10 hours per *week* during term time; and
- (b) for any duration during vacation (including before the course starts); and
- (c) on a course-related *work placement* which forms an assessed part of the *Child Student's* course; provided that any period that the *Child Student* spends on that placement does not exceed half of the total length of the course undertaken in the UK, unless it is a UK statutory requirement that the placement should exceed half the total length of the course.

CS 16.2. A *Child Student* will not be allowed to do any of the following work:

- (a) *be self-employed* or engage in business activity; or
- (b) work as a *Doctor or Dentist in training*; or
- (c) work as a *professional sports person* (including as a sports coach); or
- (d) work as an *entertainer*, or
- (e) work in a position which would fill a permanent full-time vacancy.

Study Conditions for Child Student route

CS 17.1. A *Child Student* must study on the course or courses for which the *Confirmation of Acceptance for Studies* was assigned, unless:

- (a) they have yet to complete the course for which the *Confirmation of Acceptance for Studies* was assigned; and
- (b) they begin study on a new course at the *student sponsor* institution and the new course is at a higher or the same level as the course for which the *Confirmation of Acceptance for Studies* was assigned and is not a foundation course intended to prepare the student for entry to a *higher education provider*.

CS 17.2. A *Child Student* must study with the *student sponsor* which issued their *Confirmation of Acceptance for Studies*, unless:

- (a) they are studying at an institution which is a *partner institution* of their *student sponsor*; or
- (b) they have made an application for *permission to stay* while they have *permission* as a *Child Student* which is supported by a valid *Confirmation of Acceptance for Studies* assigned by a *student sponsor*, the application has not yet been decided, or any *administrative review* against refusal of that decision has not been determined, and the *Child Student* will be studying at the *student sponsor* that assigned the *Confirmation of Acceptance for Studies*.

CS 17.3. Supplementary study is permitted.

- CS 17.4. A *Child Student* must not study at a *State School or Academy* except for:
- (a) a voluntary grammar school with boarding in Northern Ireland; or
 - (b) if the *Child Student* has been granted *permission* to study at a *student sponsor* which becomes a *State School or Academy* during that period of *permission*, in which case the *Child Student* may complete the course for which the *Confirmation of Acceptance for Studies* was assigned.”.

Changes to Appendix V

- V.1 In Visitors appendix 1. Definitions and interpretations, in the definition of an “accredited institution”, for “Tier 4” substitute “*Student*”.

Changes to Appendix W

- W.1 In paragraph W2.3(c), for “Part 15” substitute “Appendix ATAS”.
- W.2 In paragraph W3.3, subcategory Start-up, for “Tier 4 (General)” substitute “*Student*”.
- W.3 In paragraph W3.4(a), delete both instances of “Tier 4 (General)”.
- W.4 In paragraph W3.8. 4, for “Tier 4 (General)” substitute “*Student*”.
- W.5 In paragraph W5.1(b) (v) (3), delete “Tier 4 (General)”.

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