

# **ILPA** information sheet

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## **Students 3**

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There have been several changes to the Immigration Rules on students in 2011. The information given in the March 2010 "Students" information sheet is no longer correct. This information sheet provides key information relating to migrant students. However, it is not a complete summary of all the Immigration Rules relating to students.

### **General information**

Migrants may come to the UK to study as student visitors or under Tier 4 of the Points Based System. The information given in this information sheet relates to Tier 4 (General) students, unless otherwise stated.

If permitted to come to the UK, students will be granted permission to stay for the duration of their course (with a period of time permitted either side of the course). Student visitors, however, may come to the UK for a maximum of six months, unless they are studying on an English language course when they may be permitted to stay for up to 11 months.

### **Sponsors**

To come to the UK, a student must be sponsored by an educational body licensed by the UK Border Agency. A student will need a Confirmation of Acceptance for Studies (a unique number given by the educational body confirming acceptance on a course of study). A Confirmation of Acceptance for Studies is only valid if it is issued to the student:

- no more than six months before he or she applies to come to or stay in the UK; and
- no more than three months before the course is to start

More information on students' sponsors is provided by the "Points Based System – Sponsors (Tier 4)" information sheet.

### **Maintenance and accommodation**

Students are not permitted access to public funds. They must demonstrate that they have sufficient funds to support themselves, and the Immigration Rules (Appendix C) set out a sum of money that someone wishing to study in the UK must have. This required sum of money varies depending on where the student intends to study and the student's recent history of study in the UK, but may be as much as the total course fees for a full year plus up to £5,400. The student must hold this money in his or her own account, or it must be held by his or her parent or legal guardian and the student must be able to demonstrate that he or she has permission to use it. A student sponsored by the UK Government or his or her own Government (or certain other bodies, e.g. the British Council) can satisfy the requirement if that sponsor holds the required sum of money for the student.

### **Permission to work**

Students sponsored by a Higher Education Institution may work in the following circumstances:

- If studying at degree level (National Qualifications Framework level 6; Scottish Credit and Qualifications Framework level 9), for no more than 20 hours per week during term time but without limit during vacations
- If studying at below degree level, for no more than 10 hours per week during term time but without limit during vacations

Students sponsored by a publicly funded further education college may work for no more than 10 hours per week but without limit during vacations.

Students may also work as part of a course-related work placement, or for up to two years as an elected Student Union Sabbatical Officer at the educational body at which they are studying.

Student visitors are not permitted to work.

### **Dependant relatives**

From 4 July 2011, only students sponsored by a Higher Education Institution to study for 12 months or more at National Qualifications Framework level 7 or above are permitted to bring dependant relatives to the UK. Dependant relatives already in the UK with students before 4 July 2011 may stay in the UK, and may apply to extend their stay in the UK if, and only if, they are applying to extend their stay at the same time as the student.

More information on students' dependants is provided by the "Points Based System – Dependants" information sheet.

### **English language**

The Immigration Rules include an English language requirement for students wishing to come to the UK. Nationals of certain countries or with degree level qualifications (approved by UK NARIC) from educational bodies in certain countries are considered to meet the requirement. Other students must provide an English language test certificate showing that they have attained the following:

- If coming to study at degree level or above, level B2 of the Council of Europe's Common European Framework for Language Learning
- If coming to study at below degree level, level B1 of the Council of Europe's Common European Framework for Language Learning

### **Further information**

The Immigration Rules relating to Tier 4 students are set out in the Immigration Rules at paragraphs 245ZT (and currently continue) to 245ZZD. Appendix A to the Rules sets out further requirements relating to Confirmations of Acceptance for Studies. Appendix C sets out further requirements relating to maintenance and accommodation. Other general parts of the Rules apply. The Immigration Rules can be found at:

<http://www.ukba.homeoffice.gov.uk/policyandlaw/immigrationlaw/immigrationrules/>

The UK Border Agency website contains information for students at:

<http://www.ind.homeoffice.gov.uk/visas-immigration/studying/>