



## Points Based System – Students (Tier 4)

15<sup>th</sup> August 2008

In July 2008, the UK Border Agency issued a Statement of Intent concerning students under the Points Based System. That system is currently being rolled out. So far, only the part of the system, which is for highly skilled individuals (Tier 1), has been introduced. This information sheet provides information about students. For more general information on the Points Based System, see the “Points Based System – General” information sheet.

### Statement of Intent on students

The Statement of Intent sets out the Government’s current proposals for students (Tier 4). In the Foreword, it is made clear that these are only current proposals and may change before or after Tier 4 is introduced. The statement is available at:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/managingourborders/pbsdocs/statementofintent/studentsunderthepointsbased.pdf?view=Binary>

The statement is not part of a formal consultation. However, comments on the proposals are invited. For further information on how to make comments, see page 19 of the statement.

### Students

Tier 4 covers a wide range of migrants. It is intended to replace current Immigration Rules for:

- students
- sandwich students
- writing up a thesis
- re-sitting examinations
- Bar students
- music students
- pupillage
- Welbeck College
- Association of American Study Abroad programmes
- Pestalozzi Children’s Trust

It is proposed that Tier 4 will be divided into two categories – General Students and Child Students. The Child Students category will be for children studying at independent fee paying schools. Other studying will be under the General Students category.

Short term students (student visitors) and prospective students may still be able to come to the UK for periods of no on longer than 6 months outside of the Points Based System.

### General Students category

Students will only be able to come to the UK under this category if coming to study on a full-time course. This may include degree and other higher education courses. It may include other courses provided the course involves a minimum of 15 hours study per week; and may include a course involving a work placement provided the work placement takes up no more than 50% of the full course length and is at minimum NQF (National Qualification Framework) level 3 or

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[www.ilpa.org.uk/infoservice.html](http://www.ilpa.org.uk/infoservice.html)

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equivalent. Under this category:

- a course of study must be for an approved qualification (see page 11 of the Statement of Intent)
- students may take part-time work; and full-time work during vacations
- permission to stay will be initially granted for the full course duration (up to a maximum of 4 years)
- further permission to stay may be granted for re-sits if the course provider sponsoring the student is prepared to continue to sponsor the student

#### **Child Students category**

Under this category, a child may be granted permission to stay until 31 October following:

- the end of the academic year in which the child turns 11 years, if the child is of primary school age
- the end of the academic year in which the child turns 16 years, if the child is aged between 11 and 16 years
- the end of the academic year in which the child turns 18 years, if the child is aged 16 years or over or is studying for A levels

#### **What points will be needed under Tier 4**

The Statement of Intent sets out that 40 points will be required by a migrant applying to come to the UK under Tier 4.

#### **How points will be calculated under Tier 4**

The Statement of Intent sets out how points will be awarded.

Migrants under the Child Students category will acquire 10 points if the child has access to sufficient funds to pay the school fees for the year and:

- if the child is intending to board at the school, he or she also has access to sufficient funds to pay any additional accommodation fees the school may charge for the year
- if the child is intending to study while staying in a private foster care arrangement, a UK citizen or resident provides an undertaking to provide for and accommodate the child and demonstrates at least £500 per month is available to provide for the child
- if the child is intending to study while being looked after by a parent who will be accompanying the child to the UK for this purpose, the parent has access to funds of at least £1,335 per month for each month up to a maximum of 12 months

A parent will only be permitted to accompany a child studying in the UK (see last bullet point above) if the child is under 12 years. If a parent is accompanying more than one child for this purpose, the parent will need access to an additional £535 per month for each additional child.

Migrants under the General Students category will acquire 10 points if the student has sufficient funds to pay for 12 months' worth of academic fees and:

- if the student is intending to study on a course of less than 12 months' duration, he or she has an income of £800 per month for the duration of the course
- if the student is intending to study on a course of more than 12 months' duration, he or she has access to £9,600 to cover the first year of the course
- if the student intends to bring any dependants with him or her, he or she has access to an additional £535 per month for each dependant up to a maximum of 12 months

Under both categories, a migrant will acquire 30 points by demonstrating that he or she has been accepted onto the course for which he or she intends to come to the UK (sponsorship).