

TIER 4 IMMIGRATION RULES CHANGES, JULY 2015 – FACTSHEET

On 13 July 2015 changes to the Tier 4 provisions of the Immigration Rules are being laid in Parliament. This document provides details on what the changes will be, when they will be effective from and who they will affect. The Immigration Rules can be found on GOV.UK.

Changes effective from 14 July 2015

This change will take effect on 14 July so that the maximum number of applicants can benefit from it. It will also apply to all Tier 4 applications for entry clearance or leave to enter that are made but not decided before 14 July.

Entry clearance start dates

- Entry clearance will now be granted to a Tier 4 student starting one month before the course start date specified on the student's CAS or seven days before the intended date of travel, whichever is later. This is to ensure that students wishing to travel to the UK closer to or after their course start date can do so.

Changes effective from 3 August 2015

These changes will take effect from 3 August, and will apply to applications for entry clearance or leave to enter or remain that are made on or after this date.

Banning students at publicly-funded colleges from working

- Work rights are being removed from new Tier 4 students applying to study at publicly-funded further education colleges, bringing them into line with students at private colleges.

Academic progression

- Students who wish to extend their Tier 4 (General) leave must be moving up a level on the National Qualifications Framework, unless they are a university student and their new course is related to their previous Tier 4 study, or the previous course and new course in combination support the applicant's genuine career aspirations.
- Applicants applying to complete a PhD or other doctoral qualification can still apply to extend their leave in order to complete their course.

Changes affecting Tier 4 (Child) students

- Tier 4 (Child) students can be sponsored by Independent Schools (which must not be Academies) only. Tier 4 cannot be used by Academies or schools maintained by a local authority.
- The Tier 4 (Child) route is only for use by children attending Independent Schools, and not by those aged 16 or 17 coming to the UK for further education courses designed to prepare them for entry to higher education,

such as degree pathway programmes. Applicants for such courses should use Tier 4 (General).

Time limit calculations

- New guidance, to be published in the summer, will set out a new method for calculating time spent in the UK counting towards time limits under Tier 4.

Changes effective from 12 November 2015

These changes will take effect from 12 November, and will apply to applications made for entry clearance or leave to enter or remain on or after this date.

Time Limits

- The length of time that a Tier 4 (General) student may spend studying further education courses (i.e. courses at National Qualifications Framework levels 3-5 and equivalents) is being reduced from three years to two. This brings the maximum length of time a Tier 4 (General) student may spend on these courses into line with the length of time spent by most British students on such courses.

Preventing college students from extending their Tier 4 (General) visa or switching to other points-based routes

- Tier 4 (General) students studying at colleges cannot extend their stay in Tier 4 or switch into any other points-based route, unless they are studying at a college which UKVI classes as an “embedded college offering pathway programmes”, designed to prepare students for entry to a higher education course.
- Students at other colleges, who wish to go on to study at a college or a university, may do so by applying for leave to enter from outside the UK.

Maintenance Requirements

- The level of funds that Tier 4 (General), Tier 4 (Child) and Tier 4 dependants must demonstrate for living costs are being increased. Details of the changes are shown in the table below.
- The ‘established presence’ provision is being removed, so that all students must show they have sufficient funds to support themselves throughout the duration of their remaining study, or for up to a maximum of nine months. This is to ensure that all migrants can demonstrate they can maintain and accommodate themselves for the full duration of their course, or up to nine months, whichever is shorter.
- The area in which Tier 4 students have to demonstrate a higher level of funds is being expanded to include the University of London or institutions wholly or partly within the area comprising the City of London and the Former Metropolitan Police District. This is to bring the definition into line with that used in the Education (Student Support) Regulation 2011 to determine the rates of support for English students.
- The maximum amount already paid for accommodation which can be offset against the maintenance requirements is also being increased to £1,265 in line with these changes.

| | Current Maintenance Requirement | Maintenance Requirement from 12 November |
|-------------------------|--|--|
| Tier 4 (General) | £1,020 inner London/ £820 outer London per month of study, up to a maximum of 9 months. | £1,265 in London/£1,015 outside London per month of study, up to a maximum of 9 months. |
| Tier 4 (Child) | <p>Studying at a non-residential Independent School, in private foster care or staying with a close relative: £560 a month per month of study, up to a maximum of 9 months.</p> <p>Studying at a non-residential Independent School, under 12 years old and accompanied by a parent: £1,535 per month of study for main student up to a maximum of 9 months, and £615 per month of study for each additional student.</p> <p>Studying at a non-residential Independent School, 16 or 17 years old and living independently: £920 inner London/ £715 outer London per month of study, up to a maximum of 9 months.</p> | <p>Studying at a non-residential Independent School, in private foster care or staying with a close relative: £570 a month per month of study, up to a maximum of 9 months.</p> <p>Studying at a non-residential Independent School, under 12 years old and accompanied by a parent: £1,560 per month of study for main student up to a maximum of 9 months, and £625 per month of study for each additional student.</p> <p>Studying at a non-residential Independent School, 16 or 17 years old and living independently: £1,265 in London/£1,015 outside London per month of study, up to a maximum of 9 months.</p> |
| Tier 4 Dependant | £615 inner London/ £460 outer London per month of study, up to a maximum of 9 months. | £845 in London/£680 outside London per month of study, up to a maximum of 9 months. |