



GENERAL STUDENT VISAS UNDER TIER 4 OF THE POINTS BASED SYSTEM

What is the points-based system?

This is the system for managing entry to the UK for the purposes of work, study and training. You need to pass a points-based assessment to apply for a student visa under Tier 4. This question and answer document is not intended to replace the official Tier 4 guidance.

There have been a number of important changes to Tier 4 in 2011 and 2012. Please ensure that you read and follow the official and most up to date published Tier 4 guidance which is available at:

<http://www.ukba.homeoffice.gov.uk/visas-immigration/studying/adult-students/>

What are the main features of Tier 4?

- There are two categories in Tier 4:
 - (i) General Student (also known as Adult Student) - for post-16 years education and
 - (ii) Child Student - for children between 4 and 17 years (between 4-15 years, for study at an independent fee-paying school).
- Applicants must pass a points-based assessment, score 40 points and meet the Immigration Rules in order to qualify for entry to study in the UK.
- All education providers in the UK must register with the UK Border Agency and be a licensed sponsor before they can recruit international students.

How do I accumulate the necessary points to qualify for a student visa?

You need to score **40 points** for the following:

30 points for a Confirmation of Acceptance for Studies - CAS - issued by a licensed sponsor to study a course at an acceptable level +

10 points for showing you have enough money to cover your course fees and living costs (known as maintenance).

What is a Confirmation of Acceptance for Studies (CAS)?

You need an unconditional offer from your education provider (sponsor). The CAS shows that your education provider is confident that you are capable of doing the course of study for which you have applied, will act as your "immigration sponsor" and accepts responsibility for you while you are in the UK. The CAS includes information about you, the course, and the documents you submitted that led to the offer of a place. It is important that you ask your sponsor for all this information so that you can complete your visa application form accurately and provide all the necessary supporting documentation. If your sponsor has assessed your qualifications in order to give you a CAS, you must provide either the original certificate or original transcript of results (please see the guidance for more information about supporting documentation for the CAS).

The CAS is a virtual document, not an actual certificate, and it is a unique 14 digit electronic reference number. Your sponsor will provide you with the CAS reference number and you must write it on your visa application form.

The CAS will become invalid if not used to make a visa application within 6 months of issue. Holding a valid CAS does not guarantee that your application will be successful, as you must also meet all the requirements of Tier 4 and the UK's Immigration Rules. You may hold several CASs issued by different sponsors, but can only use one to apply for a Tier 4 visa.

A CAS may be used only once. If you would like to make another visa application you will need to request a new CAS from your sponsor first. A CAS may be withdrawn or cancelled by the sponsor or the UK Border Agency at any time.

What is a licensed sponsor?

You must study with an education provider that is registered with the UK Border Agency as being permitted to recruit international students. Before you apply for your visa you should check whether your education provider is registered.

The register of sponsors has the name, location and rating of the organisation. There are currently 3 categories of sponsors:

- (i) *Highly Trusted Sponsors* – demonstrate high levels of compliance with their sponsorship duties and are able to offer a wider range of courses than other education providers.
- (ii) *“A” rated (trusted) sponsors* – are meeting their sponsorship duties
- (iii) *“B” rated sponsors* – are working with the UK Border Agency to improve their systems. This is a transitional rating.

The sponsors' register is available at:

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/employersandsponsors/pointsbasedsystem/registerofsporsoreducation>

New accreditation requirements for sponsors were introduced in April 2011. Existing sponsors need to achieve Highly Trusted Sponsor status by April 2012, and be accredited by a relevant inspection agency by the end of 2012.

What are the maintenance requirements?

You need to have sufficient funds to cover your course fees and your living expenses to ensure that you do not experience financial hardship while you study in the UK. The maintenance you need to show depends on where you want to study and the duration of the course.

You must show you have money for your course fees plus the following sums for living costs:

- **Inner London** - £1000 for each month of the course, up to a maximum of 9 months
- **Outer London or elsewhere in the UK** - £800 for each month of the course, up to a maximum of 9 months.

Note: if the course includes part of a month, we will round up the time to the next month. Eg. If your course is 7 months and 2 weeks, you must show you have enough money for 8 months.

If you have an established presence in the UK your living expenses will be assessed at a lower level. See the Tier 4 guidance for further information.

Your sponsor will specify the amount you are required to show to cover the course fees. If you have paid some money towards the course fees and accommodation costs and this is evidenced in the CAS or by official original receipts then this will be deducted from the amount of money you need to show. Since 6 April a maximum of £1000 for accommodation can be offset against maintenance funds.

You will need to provide evidence of additional funds to support any dependants coming with you. For more information, please log on to: www.ukba.homeoffice.gov.uk/sitecontent/applicationforms/pbs/dependants

Evidence must be dated no more than one month before the date of application and the required level of funds must have been held for at least 28 consecutive days (in applications made outside the UK).

You can prove you have the money if you have:

- cash in an account – savings or current (in your name or the name of your parents or legal guardian)
- a loan in your name, which is unconditional
- official financial or government sponsorship

You must submit original documentary proof of finances containing all the information set out in the Tier 4 guidance.

You need to show (write on the document) the closing balance in pounds sterling. To calculate the official exchange rate use: www.oanda.com/convert/classic.

Will you accept documents from all financial institutions?

In October 2011 the UK Border Agency published the first lists of financial institutions from which it will no longer accept documentation in support of Tier 4 visa applications. A list of such institutions has been introduced for India. Further information and current financial institution lists are available at: www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2011/october/57-financial-institutions

What documents do you accept?

- Official letter of sponsorship in the format and containing all the information specified in the guidance.
- Personal bank or building society statements covering a consecutive 28 day period ending no more than 1 month before the date of the application
- Building society pass book covering a consecutive 28 day period ending no more than 1 month before the date of application
- Letter from the bank confirming funds have been held for a consecutive 28 day period ending no more than 1 month before the date of application
- Letter from a financial institution regulated by the Financial Services Authority (FSA UK) or in the case of overseas accounts, the home regulator (official regulatory body for the country the institution is in and where the money is held) confirming funds have been held for a consecutive 28 day period ending no more than 1 month before the date of application;
- Letter from a financial institution regulated by the FSA or the home regulator (see above for explanation) confirming the loan.

Please note: Shares, bonds, overdrafts, credit cards, pension funds will not be accepted, regardless of the notice period.

A Fixed Deposit certificate will not be accepted, however a letter from the bank confirming the fixed deposit details does constitute a specified document and will be accepted. This letter must state that the funds have been held for 28 days.

If you are relying on your parents' or legal guardians' funds, you need to supply additional information:

- (i) your birth certificate or adoption certificate showing the names of both parents or a court document naming your legal guardian and
- (ii) a letter from your parents/legal guardian giving you permission to use the funds (see the guidance).

The UK Border Agency will only accept as evidence the documents stipulated in the Tier 4 guidance. Documents must be in the format specified – issued by an authorised official of the issuing organisation and be original unless otherwise specified, and on the official letter headed paper or stationery of the organisation.

What type of study can a General Student do?

A General Student must be doing full-time study in the UK on either:

- a full time basis of study that leads to a qualification at Level 6 or above of the revised National Qualification Framework or its equivalents;
- an overseas course of degree level study that is recognised as being equivalent to a UK Higher Education course and is being provided by an overseas Higher Education Institution or
- a full time course of study involving a minimum of 15 hours per week organised daytime study and (except in the case of a pre-sessional course) leading to a qualification below degree level (daytime study is 8am to 6pm, Monday to Friday).

What are acceptable levels of courses?

Courses must lead to an approved qualification. If you are not sure whether your course is an approved qualification, please check with your sponsor.

If you are studying with a *Highly Trusted Sponsor*, courses may lead to the following approved qualifications:

- Level 3* or above on the National Qualifications Framework (NQF) in England, Wales and Northern Ireland
- Level 6* or above in the Scottish Credit and Qualifications Framework (SCQF)
- Short-term Study Abroad Programmes in the UK as part of a student's qualification at an overseas higher education institution, provided the qualification is confirmed as the same as a UK degree level by UK NARIC
- English language course at level B2 Common European Framework of Reference for Languages (CEFR)
- An English language course at any level where the General Student is Government sponsored.

Note: Highly Trusted Sponsors only are permitted to offer courses below degree level (excluding foundation degree) with work placements.

*If you are studying with an "A" or "B" rated sponsor the minimum course levels are NQF level 4 and SCQF level 7.

What are the requirements if I want to study English language?

To qualify for a General Student Tier 4 visa, the English language course you intend to follow must be set at a minimum of B2 CEFR.

Can I apply to study English if my level is below B2?

Yes, but not under Tier 4. If you wish to learn English and are at beginner level, you will still be able to come to the UK to study under the student visitor route. Student visitors will be able to study English language at levels below B2 with an education provider that is accredited by a UK Border Agency approved accreditation body. If your course is exclusively English language you may be able to study for up to 11 months. If your course is a combination of subjects you may study for up to 6 months. As a student visitor you are not permitted to work, bring your dependants with you, extend your visa or change to another course. You must leave the UK when your visa expires.

What are the English language requirements for studying in the UK?

If you are intending to study at degree level or above at a Higher Education Institution (HEI), you need to be proficient in English language to B2 CEFR. The HEI can decide how to assess your proficiency. If you are not studying at an HEI you need to have a secure English language test to B2 standard. For study below degree (NQF level 6) you must be competent in English to a minimum of B1 CEFR and evidence your proficiency through a secure English language test. You need to pass this test before you are issued with your CAS. The list of approved test providers and further guidance are available at:

<http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2011/october/04-list-of-english-language>

Important: you may be required to attend an interview with the UK Border Agency. This may be as part of your visa application or when you reach an airport in the UK. If you cannot show that your English language ability is at the required standard, your visa may be refused or you may be refused entry to the UK.

What is the Academic Technology Approval Scheme (ATAS)

If you need an ATAS clearance certificate, you must obtain this before you apply for your visa. To apply for ATAS approval you will need to know your course JACS code. You need to check the website to see whether you need an ATAS certificate for your course. If you apply without an ATAS clearance certificate and one is needed, your application will be refused. For further information, log on to: www.fco.gov.uk/atas.

Do I need to undergo a tuberculosis test?

The UK government has announced that it will extend pre-entry TB screening to further countries, including India. This requirement will affect those people who are travelling to the UK for more than 6 months. There will be a further announcement about arrangements, including the start date, details of screening facilities and cost. Until that time, existing arrangements apply.

Tier 4 students in India will be required to undergo pre-entry TB screening in due course. However, students who are applying for their visas before October 2012 will not be affected.

What happens if I want to study a pre-sessional course?

A pre-sessional course is to prepare a student for his or her main course of study. It can include an intensive English language course. The pre-sessional course must be at the correct level for a Tier 4 General Student visa.

You may use one CAS and be issued on Tier 4 visa to cover the pre-sessional (short) and main courses only if

- the CAS is issued by a Higher Education Institution to cover a pre-sessional course of no longer than 3 months and
- you have an unconditional offer of a place on a course of degree level study at that HEI and
- the course of degree level study starts no later than one month after the end date of the pre-sessional course.

If you have a student visitor visa for the first course, you must leave the UK to apply for another visa for the main course.

When I apply for my visa, what documents do I need to provide?

You will need to complete the visa application on line (VAF 9 + appendix 8 for General Student), pay your fee and provide:

- Current passport
- Recent colour passport-size photograph
- CAS from a licensed sponsor (dated no more than 6 months before the visa application is made. The date you apply is the date on your application fee receipt)
- Proof of maintenance - please see guidance for the documents to be provided and the information that they must contain
- Documents assessed by your sponsor when you were accepted onto the course and specified in the CAS
- ATAS clearance certificate if necessary for your course
- Secure English language test certificate if required.
- Your biometric details (finger scans and digital photograph, taken at the visa application centre)
- Original specified documents and full and independently verifiable translations for documents not in English.

Please note that current visa fees can be found at: www.ukba.homeoffice.gov.uk/countries/india

Online applications are made at: <https://apply.ukba.homeoffice.gov.uk/iapply.portal>. There is no charge to complete your application and to make a standard appointment to attend a visa application centre online.

Please note that once you have completed your application form online, only small manual amendments to this form will be accepted for submission at the visa application centre.

Please ensure that you provide all supporting documentation with your application. If you do not provide all the mandatory information, your application will be refused. No further evidence can be accepted after you have made your application.

When and where do I make my visa application?

You should allow very good time to apply for your visa. You can apply up to 3 months in advance of your intended date of travel, once you hold an unconditional offer of study (CAS). You need to attend a visa application centre (VAC) in person once you have scheduled an appointment, with your completed online application form, supporting documentation and the visa fee. Please note that you are required to make an appointment before you attend the visa application centre. There is no charge to make an appointment, unless you wish to use the premium lounge. Guidance on how to schedule an appointment is available www.vfs-uk-in.com.

Your fingerprints and photograph (biometrics) will be taken as part of the visa process. The VACs are operated by the UK Border Agency's commercial partner, VFS Global. Your application will be sent to the UK Border Agency to make a decision. When a decision has been made, your passport and documentation are returned to you through VFS. VFS has no role or influence in the visa decision-making process or the return of your documents.

What are the rules about forged documents?

If you use deception in your visa application, including submitting forged documents and failing to disclose previous visa application refusals, your application will be refused. It may also result in future visa applications to the UK being refused automatically for 10 years.

Do I need an agent to make a visa application?

You do not require an agent to make your application. If you would like assistance, then you should choose an agent carefully. Many agents will not charge a fee because they are being paid by a UK education institution. If your agent does charge a fee, this should be reasonable. Please note that agents have no influence on the decision to issue a visa and cannot make you any guarantees about the outcome of your application.

What happens if I apply to an education provider whose licence is suspended or withdrawn?

You must check that your chosen education provider is on the sponsors' register before you apply for your visa. You can still apply for a visa if your sponsor has been suspended, but no decision to issue a visa can be made on your application until the status of the sponsor is resolved. You may withdraw your visa application and re-submit the application with a new sponsor and CAS, however, your visa fee will not be refunded.

You are also advised to check the sponsors' register again before you travel. If the sponsor has been suspended since your visa was issued, you are advised not to travel until the status of the sponsor has been resolved. If you have any questions or doubts about the status of your sponsor, you should also contact your sponsor and ask.

If your sponsor's licence has been withdrawn, your CAS will be invalid. You cannot use it to make a visa application. If you already have a visa, this will be cancelled and you will not be permitted to enter the UK.

Please refer to annex 2 of the Tier 4 guidance for more information on the effect on students and their applications and study of changes to their sponsor's licence.

For how long will my visa be valid?

Under Tier 4, your visa will be valid for the duration of your course if degree level or above (and a maximum of 3 years if the course is for post graduate doctors and dentists Foundation Programmes), plus a short period of between one week and four months at the end of your studies (depending on the level and duration of the course).

Please note that if you are over 18 years and a General Student, you are allowed to spend no more than 3 years in the UK studying below UK degree level in your lifetime (see the guidance for further information).

Can I bring my dependants with me?

Since July 2011, students on post-graduate courses of 12 months or longer at a Higher Education Institution and government-sponsored students on courses lasting 6 months or longer may sponsor dependants. Those dependants may work. No other students may be accompanied by dependants.

Can I work while I study?

If you have a Tier 4 General visa and are studying at degree level and above at a Higher Education Institution (HEI) or a Study Abroad Programme at an overseas HEI, you may work 20 hours per week in the term time and full time in the holidays.

If you are studying at a publicly funded Further Education college or below degree level at an HEI, you may work 10 hours per week during term time and full time in the holidays.

No other students may work on a Tier 4 visa. If you hold a short term student visitor visa you are not permitted to work.

Can I work in the UK after I have finished my studies?

The post study work visa stopped on 6 April 2012, however, there continue to be opportunities under Tier 2 of the points based system for graduates to take up graduate level jobs in the UK with registered companies.

Further details are to be found in the guidance at <http://www.ukba.homeoffice.gov.uk/visas-immigration/working/tier2/general/>.

There is also a new graduate entrepreneur scheme for those students who have world class innovative ideas to stay in the UK and develop their business. Further details are available at:

www.ukba.homeoffice.gov.uk/visas-immigration/working/tier1/graduate-entrepreneur/

Can I extend my visa?

You can apply to extend your Tier 4 visa in order to complete your course (up to 3 years below degree level) or for a further course of study at a higher level. You must apply before your existing visa expires and you will need a new CAS and proof of maintenance. Since July 2011, institutions must vouch that a new course represents genuine academic progression if the student wants to undertake further study in the UK. Since April 2012 students are able to study for a maximum of 5 years at and above degree level, with some exceptions.

What are some of the common reasons for refusing a student visa application?

Reasons include:

- not meeting the maintenance requirements
- supporting documents are not provided, not originals, not in the correct format or not translated
- forged documents are submitted
- incomplete application
- submitting an already used CAS
- course description in the CAS is inadequate
- correct translations are not provided
- not submitting the correct evidence of relationship to parents when relying on their funding

What happens if my visa application is refused?

Under the points based system it will be possible for you to ask for an Administrative Review (AR) if you believe that the wrong decision was made on the basis of the information you submitted. You will receive the AR request notice with your notification of refusal. This is a review of the original decision by a visa manager who was not involved in the original decision. You cannot submit any new information with an AR - it is therefore very important that you thoroughly prepare your visa application form and provide all necessary documents when you first apply. You may also make a fresh visa application, addressing the reasons for refusal in the earlier application.

How far in advance of my course start date can I travel?

If your course is for 6 months or longer or is a pre-sessional course (ie to prepare you for your main course) of less than 6 months, you may travel to the UK up to 1 month before your course starts (the date of which is on the CAS).

If your course is not one of the above, you may travel to the UK up to 7 days before your course starts.

Can I change my sponsor in the UK?

If you are issued with a General Student visa, it will be valid for study with the sponsoring institution that assigned you the CAS. If you want to change institutions and applied for your visa on/after 5 October 2009 you need to apply for a new Tier 4 visa before your existing Tier 4 visa expires. You need to apply for your visa inside the UK if you are already in the UK or from outside the UK if you have not yet arrived. You cannot start your new course until your new visa has been approved. For guidance in relation to students who applied before 5 October 2009, please refer to the Tier 4 guidance.

How do I get my fees refunded if I am no longer able to apply for a visa or my visa has been refused?

You need to talk directly with the UK education provider about the refund of your fees. If you have instructed an agent, he or she may be able to assist. It is very important that, before you hand over course fee deposits to an education provider, you understand the terms and conditions attached to this transaction and when/how deposits are refundable.

What are the rules for student visitor visas?

If you intend to come to the UK to study on a course of less than 6 months or an English language course of up to 11 months, you may apply for a student visitor visa. You will need to meet the entry clearance requirements for student visitors under paragraph 56k of the Immigration Rules. If you hold this type of visa, you are not permitted to work, extend your visa or switch to another type of visa in the UK.

Where can I find out about provisions for Child Students?

The Tier 4 guidance also includes information about Child Students. This, and other useful information about the visa application process, can be found on the following websites:

Useful websites:

www.vfs-uk-in.com

www.britishcouncil.org.in

www.fco.gov.uk/atas

www.ukba.homeoffice.gov.uk/countries/india

www.ukba.homeoffice.gov.uk/visas-immigration/studying/