

Further changes to UK Student visa

A number of significant changes will be introduced in the UK immigration regime in 2010. Here, I will only highlight the proposed changes to the student visa category under 4 heads as follows;

Bank statements

The new points-based system was introduced in March 2009. Since that time, students applying for a visa inside the UK only needed to produce bank statements which showed that they had the amount of money needed for maintenance at the time of application. Maintenance is the generic term for tuition fees and living costs. This is changing on 1st February 2010. With effect from that date, anyone applying for a visa inside the UK must submit bank statements showing they have held the total amount of maintenance in their account for at least 28 days before the application.

Please note another major change which was introduced earlier and which a lot of people have not cottoned to as yet. It will no longer do to have a third party financial sponsor as in the old days. You will now be required to be sponsored only by a government (the UK or the home country), the British Council or any international organization, an international company, university or independent school, or your parent or legal guardian (with suitable confirmation of the relationship).

Child Students

From 1 January 2010, child students (age 4 to 17) from countries outside the European Economic Area will be able to apply to enter the UK for up to 6 months on an exchange or educational visit to a state-maintained school, a non-maintained special school, an independent fee-paying school or an independent non fee-paying school. A visa will be required by applicants from countries whose nationals require a visa to enter the UK.

Visa letter

With effect from the 22nd February 2010, students applying for a visa extension will no longer need a physical Visa Letter. Instead, they must possess a unique reference number issued by their prospective sponsoring institution which must be submitted with the application. This reference number is known as a 'Confirmation of Acceptance for Study' or CAS.

Until 21 February 2010, students can however continue to apply under Tier 4 using a visa letter, even if their course of study will begin after 22 February 2010.

The visa letter and its successor CAS regime have transferred the task of assessing ability to follow a course and satisfactory progress from the Home Office to the sponsoring institution.

Resubmitting dissertations

Postgraduate students who need to resubmit their dissertation and have their visas ending soon will not automatically be issued with a Visa Letter/Certificate of Approval for Study (CAS) to extend their visas. They will only be given a Visa Letter/CAS if they are required to be in the UK to write and submit their dissertation. The decision will be made by the academic department for each student.

Fees

In April 2010, there will be a sharp increase of visa fees across the board. For example, the cost of applying for a same day student visa will rise from £565 to £695.

Other rises include the cost of an application for Indefinite Leave to Remain for those in the UK which will rise from £820 to £840, and £1095 for a same day service. The cost for those applying to become a British citizen will increase from £640 to £655.

In addition, a 10% charge on all immigration and nationality fees is also to be introduced for each child of a migrant who is already in Britain who wants to extend their family's stay.

For the super-rich, the Home Office will offer a £15,000 premium mobile visa renewal service.

In announcing these sharp rises, the then Minister of Immigration said that the revenue generated will contribute towards the development and delivery of the new Points Based System, the rollout of ID cards for foreign nationals and investment in IT capability both overseas and in the UK.

Anyone who thinks that their immigration status may be affected by this opinion should seek professional legal advice. At Genesis Law Associates, we specialise in all areas of immigration, asylum and nationality law.