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- (5) transactions by the service supplier covering the full specified period;

or

(iv) A building society pass book, which clearly shows:

- (1) the applicant's name,
- (2) the account number,
- (3) the financial institution's name and logo, and
- (4) transactions by the service supplier covering the full specified period.

(b) If the applicant provides the bank or building society statements in (a)(iii):

(i) The statements must:

- (1) be printed on paper bearing the bank or building society's letterhead,
- (2) bear the official stamp of the bank on every page, or
- (3) be accompanied by a supporting letter from the issuing bank or building society, on company headed paper, confirming the authenticity of the statements provided;

(ii) The statements must not be mini-statements obtained from an Automated Teller Machine.

112. Points will not be awarded for a Tier 5 (Temporary Worker) Certificate of Sponsorship where the claimed basis for its issuance are the provisions under Mode 4 of the General Agreement on Trade in Services relating to intra-corporate transfers.

### **Attributes for Tier 4 (General) Students**

113. An applicant applying for entry clearance or leave to remain as a Tier 4 (General) Student must score 30 points for attributes.

114. Available points are shown in Table 16 below.

115. Notes to accompany Table 16 appear below that table.

**Table 16**

Criterion	Points awarded
Confirmation of Acceptance for Studies	30

### **Notes**

115A. In order to obtain points for a Confirmation of Acceptance for Studies, the applicant must provide a valid Confirmation of Acceptance for Studies reference number.

#### **Tier 4 Interim Limit**

115B. The Secretary of State shall be entitled to limit the number of Confirmations of Acceptance for Studies allocated to any specific Sponsor in any one period.

115C. The limit on the number of Confirmations of Acceptance for Studies allocated to specific Sponsors shall be known as the Tier 4 Interim Limit.

115CA. The interim limit implemented by HC1888 and effective in relation to Tier 4 between 6 April 2012 and 31 December 2012 shall be known as the Former Interim Limit.

115D. The Tier 4 Interim Limit will apply from 1 January 2013 to 30 June 2013 (inclusive) (the "Tier 4 Interim Limit Period").

115E. The Tier 4 Interim Limit will be applied to any Tier 4 Sponsor who

(i) is still subject to the former interim limit on 31 December 2012 and has applied for but not yet achieved HTS status and a valid and satisfactory full institutional inspection, review or audit from one of the following bodies:

- (a) the Bridge Schools Inspectorate; or
- (b) the Education and Training Inspectorate; or
- (c) Estyn; or
- (d) Education Scotland; or
- (e) the Independent Schools Inspectorate; or
- (f) Ofsted; or
- (g) the Quality Assurance Agency for Higher Education; or
- (h) The Schools Inspection Service; or is not:

(ii) the Foundation Programme Office; (iii) the Yorkshire and Humber Strategic Health Authority;

(iv) an overseas higher education institution which has Highly Trusted Sponsor Status.

115F. A Tier 4 Sponsor who does not satisfy the requirements of paragraph 115E and is therefore subject to the Tier 4 Interim Limit is known as a Limited Sponsor.

115FA. No Confirmations of Acceptance for Studies will be allocated to a Limited Sponsor where:

(i) The Limited Sponsor did not apply for inspection, review or audit by the appropriate specified body by the relevant deadline, as listed below:

Specified body	Deadline
Quality Assurance Agency	9 September 2011

Independent Schools Inspectorate	9 September 2011
Bridge Schools Inspectorate	7 October 2011
School Inspection Service	7 October 2011
Education Scotland	11 November 2011
Education and Training Inspectorate N.I.	30 April 2012

or

(ii) The Limited Sponsor applied by the deadline specified in (i) above, and failed to meet the required standard to obtain a full institutional audit, inspection or review, except for where The Limited Sponsor requires a second institutional audit, inspection or review within 6 months of the initial audit, inspection or review as determined by the relevant body listed above; or

(iii) The Limited Sponsor applied for Highly Trusted Sponsor status on two occasions and has not been granted Highly Trusted Sponsor status.

115FB. A Limited Sponsor that is allocated no Confirmations of Acceptance for Studies further to paragraph 115FA is known as a Legacy Sponsor

115G. All Confirmations of Acceptance for Studies allocated by the Secretary of State to Limited Sponsors prior to 1 January 2013 and which have not been assigned to an applicant for entry clearance, leave to enter or leave to remain under Tier 4 prior to 1 January 2013 are withdrawn and the only Confirmations of Acceptance for Studies allocated to a Limited Sponsor are the Confirmations of Acceptance for Studies allocated in accordance with paragraph 115H below.

115H. The Tier 4 Interim Limit will be calculated as follows:

(i) A Limited Sponsor who has that status as at 1 January 2013 will be allocated:

(a) where the Limited Sponsor was subject to the Former Tier 4 Interim Limit for the entirety of the period 6 April 2012 to 31 December 2012, a number of Confirmations of Acceptance for Studies equal to two thirds of the number of Confirmations of Acceptance for Studies allocated to that Limited Sponsor for the period 6 April 2012 to 31 December 2012;

(b) where the Limited Sponsor had a Tier 4 Sponsor Licence for only part of the period 6 April 2012 to 31 December 2012, and was subject to the Former Tier 4 Interim Limit from the date on which it was granted a sponsor licence, a number of Confirmations of Acceptance for Studies equal to:

(i) the number of Confirmations of Acceptance for Studies allocated to that Limited Sponsor for the period it was licenced between 6 April 2012 to 31 December 2012;

(ii) multiplied by the appropriate factor such that the figure in (i) is equal to the number of Confirmations of Acceptance for Studies that would have been granted to that Limited Sponsor for a period of 6 months;

(c) where the Limited Sponsor had a Tier 4 Sponsor Licence for the entirety of the period 6 April 2012 to 31 December 2012 and was subject to the Former Tier 4 Interim Limit for only part of that period, a number of Confirmations of Acceptance for Studies equal to:

- (i) the number of Confirmations of Acceptance for Studies allocated to that Limited Sponsor under the Tier 4 Interim Limit;
- (ii) multiplied by the appropriate factor such that the figure in (i) is equal to the number of Confirmations of Acceptance for Studies that would have been granted to that Limited Sponsor for a period of 6 months;

(d) where the calculation in paragraphs (a) to (c) results in 0 or a negative number, the Limited Sponsor will be allocated 0 Confirmations of Acceptance for Studies under the Tier 4 Interim Limit;

(e) where the calculation in paragraphs (a) to (c) does not result in a whole number, the Limited Sponsor will be allocated a number of Confirmations of Acceptance for Studies equal to the nearest whole number (fractions will be rounded up to the nearest whole number).

115I. A Limited Sponsor will, on provision to the UK Border Agency of evidence that it meets the criteria set out in paragraph 115E above, be exempt from the Tier 4 Interim Limit from the date the UK Border Agency provides written confirmation that it is so exempt.

116. A Confirmation of Acceptance for Studies will only be considered to be valid if:

- (a) it was issued no more than 6 months before the application is made,
- (b) the application for entry clearance or leave to remain is made no more than 3 months before the start date of the course of study as stated on the Confirmation of Acceptance for Studies,
- (c) the Sponsor has not withdrawn the offer since the Confirmation of Acceptance for Studies was issued,
- (d) it was issued by an institution with a Tier 4 (General) Student Sponsor Licence,
- (da) where the application for entry clearance or leave to remain is for the applicant to commence a new course of study, not for completion of a course already commenced by way of re-sitting examinations or repeating a module of a course, the Sponsor must hold an A-rated or Highly Trusted Sponsor Licence and must not be a Legacy Sponsor,

116(db) where the Confirmation of Acceptance for Studies is issued by a Legacy Sponsor or a B-rated sponsor, the Confirmation of Acceptance for Studies will only be valid if it is issued for completion of a course already commenced by way of re-sitting examinations or repeating a module of a course and the Confirmation of Acceptance for Studies must

be for the same course as the course for which the last period of leave was granted to study with that same sponsor,

(e) the institution must still hold such a licence at the time the application for entry clearance or leave to remain is determined

(ea) the migrant must not previously have applied for entry clearance, leave to enter or leave to remain using the same Confirmation of Acceptance for Studies reference number where that application was either approved or refused (not rejected as an invalid application declared void or withdrawn),

(f) it contains the following mandatory information:

(i) the applicant's:

- (1) name,
- (2) date of birth,
- (3) gender,
- (4) nationality, and
- (5) passport number;

(ii) the course:

- (1) title,
- (2) level,
- (3) start and end dates, and
- (4) hours per week, including confirmation that the course is full-time;

(iii) confirmation if the course is one in which the applicant must hold a valid Academic Technology Approval Scheme clearance certificate from the Counter-Proliferation Department of the Foreign and Commonwealth Office;

(iv) confirmation if the course is a recognised Foundation Programme for postgraduate doctors or dentists, and requires a certificate from the Postgraduate Dean;

(v) the main study address;

(vi) details of how the Tier 4 Sponsor has assessed the applicant's English language ability including, where relevant, the applicant's English language test scores in all four components (reading, writing, speaking and listening);

(vii) details of any work placements relating to the course;

(viii) accommodation, fees and boarding costs;

(ix) details of any partner institution, if the course will be provided by an education provider that is not the Tier 4 Sponsor; and

(x) the name and address of the overseas higher education institution, if the course is part of a study abroad programme.

(g) if it was not issued for a course of studies, it was issued for a full-time, salaried, elected executive position as a student union sabbatical officer to an applicant who is part-way through their studies or who is being sponsored to fill the position in the academic year immediately after their graduation.

117. A Confirmation of Acceptance for Studies reference number will only be considered to be valid if:

(a) the number supplied links to a Confirmation of Acceptance for Studies Checking Service entry that names the applicant as the migrant and confirms that the Sponsor is sponsoring him in the Tier 4 category indicated by the migrant in his application for leave to remain (that is, as a Tier 4 (General) Student or a Tier 4 (Child) Student), and

(b) that reference number must not have been withdrawn or cancelled by the Sponsor or the UK Border Agency since it was assigned.

118. No points will be awarded for a Confirmation of Acceptance for Studies unless:

(a) the applicant supplies, as evidence of previous qualifications, the specified documents, as set out in paragraph 120-SD(a), that the applicant used to obtain the offer of a place on a course from the Sponsor unless the applicant is sponsored by a Highly Trusted Sponsor, is a national of one of the countries or the rightful holder of a qualifying passport issued by one of the relevant competent authorities, as appropriate, listed in Appendix H, and is applying for entry clearance in his country of nationality or in the territory related to the passport he holds, as appropriate, or leave to remain in the UK. The UK Border Agency reserves the right to request the specified documents from these applicants. The application will be refused if the specified documents are not provided in accordance with the request made; and

(b) One of the requirements in (i) to (iii) below is met:

(i) the course is degree level study and the Confirmation of Acceptance for Studies has been assigned by a Sponsor which is a Recognised Body or a body in receipt of funding as a higher education institution from the Department for Employment and Learning in Northern Ireland, the Higher Education Funding Council for England, the Higher Education Funding Council for Wales, or the Scottish Funding Council, and:

(1) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines;

Trinidad and Tobago; United States of America, and provides the specified documents set out in paragraph 120-SD(b); or

(2) has obtained an academic qualification (not a professional or vocational qualification), which is deemed by UK NARIC to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA, and provides the specified documents set out in paragraph 120-SD(a); or

(3) the applicant has successfully completed a course as a Tier 4 (Child) Student (or under the student rules that were in force before 31 March 2009, where the student was granted permission to stay whilst he was under 18 years old) which:

i. was at least six months in length, and

ii. ended within two years of the date the sponsor assigned the Confirmation of Acceptance for Studies; or

(4) the Confirmation of Acceptance for Studies Checking Service entry confirms that the applicant has a knowledge of English equivalent to level B2 of the Council of Europe's Common European Framework for Language Learning in all four components (reading, writing, speaking and listening), or above; or

(ii) the course is degree level study and the Confirmation of Acceptance for Studies has been assigned by a Sponsor which is not a Recognised Body or is not a body in receipt of funding as a higher education institution from the Department for Employment and Learning in Northern Ireland, the Higher Education Funding Council for England, the Higher Education Funding Council for Wales, or the Scottish Funding Council, and:

(1) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America, and provides the specified documents set out in paragraph 120-SD(b); or

(2) has obtained an academic qualification (not a professional or vocational qualification), which is deemed by UK NARIC to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA, and provides the specified documents set out in paragraph 120-SD(a); or

(3) the applicant has successfully completed a course as a Tier 4 (Child) Student (or under the student rules that were in force before 31 March 2009, where the student was granted permission to stay whilst he was under 18 years old) which:

i. was at least six months in length, and

ii. ended within two years of the date the sponsor assigned the Confirmation of Acceptance for Studies; or

(4) the applicant provides an original English language test certificate from an English language test provider approved by the Secretary of State for these purposes as listed in Appendix O, which is within its validity date, and clearly shows:

i. the applicant's name,

ii. that the applicant has achieved or exceeded level B2 of the Council of Europe's Common European Framework for Language Learning in all four components (reading, writing, speaking and listening), unless exempted from sitting a component on the basis of the applicant's disability, and

iii. the date of the award.

Or

(iii) the course is for below degree level study and:

(1) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America, and provides the specified documents set out in paragraph 120-SD(b); or

(2) has obtained an academic qualification (not a professional or vocational qualification), which is deemed by UK NARIC to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; The Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and The Grenadines; Trinidad and Tobago; the UK; the USA, and provides the specified documents set out in paragraph 120-SD(a); or

(3) the applicant has successfully completed a course as a Tier 4 (Child) student (or under the student rules that were in force before 31 March 2009, where the student was granted permission to stay whilst he was under 18 years old) which:

i. was at least six months in length, and



ii. ended within two years of the date the sponsor assigned the Confirmation of Acceptance for Studies; or

(4) the applicant provides an original English language test certificate from an English language test provider approved by the Secretary of State for these purposes as listed in Appendix O, which is within its validity date, and clearly shows:

i. the applicant's name,

ii. that the applicant has achieved or exceeded level B1 of the Council of Europe's Common European Framework for Language Learning in all four components (reading, writing, speaking and listening), unless exempted from sitting a component on the basis of the applicant's disability, and

iii. the date of the award.

119. If the applicant is re-sitting examinations or repeating a module of a course, the applicant must not previously have re-sat the same examination or repeated the same module more than once, unless the Sponsor is a Highly Trusted Sponsor. If this requirement is not met then no points will be awarded for the Confirmation of Acceptance for Studies, unless the Sponsor is a Highly Trusted Sponsor.

120. Points will only be awarded for a Confirmation of Acceptance for Studies (even if all the requirements in paragraphs 116 to 119 above are met) if the course in respect of which it is issued meets each of the following requirements:

(a) The course must meet the following minimum academic requirements:

i. for applicants applying to study in England, Wales or Northern Ireland, the course must be at National Qualifications Framework (NQF) / Qualifications and Credit Framework (QCF) Level 3 or above if the Sponsor is a Highly Trusted Sponsor; or

ii. for applicants applying to study in England, Wales or Northern Ireland, the course must be at National Qualifications Framework (NQF) / Qualifications and Credit Framework (QCF) Level 4 or above if the Sponsor is an A-Rated Sponsor or a B-Rated Sponsor; or

iii. for applicants applying to study in Scotland, the course must be accredited at Level 6 or above in the Scottish Credit and Qualifications Framework (SCQF) by the Scottish Qualifications Authority and the Sponsor must be a Highly Trusted Sponsor; or

iv. for applicants applying to study in Scotland, the course must be accredited at Level 7 or above in the Scottish Credit and Qualifications Framework (SCQF) by the Scottish Qualifications Authority if the Sponsor is an A-Rated Sponsor or B-Rated Sponsor; or

v. the course must be a short-term Study Abroad Programme in the United Kingdom as part of the applicant's qualification at an overseas higher education institution, and that qualification must be confirmed as the same as a United Kingdom degree level by the National Recognition Information Centre for the United Kingdom (UK NARIC); or

vi. the course must be an English language course at level B2 or above of the Common European Framework of Reference for Languages; or

vii. the course must be a recognised Foundation Programme for postgraduate doctors or dentists.

(b) The Confirmation of Acceptance for Studies must be for a single course of study except where the Confirmation of Acceptance for Studies is:

(i) issued by a Sponsor which is a Recognised Body or a body in receipt of funding as a higher education institution from the Department for Employment and Learning in Northern Ireland, the Higher Education Funding Council for England, the Higher Education Funding Council for Wales, or the Scottish Funding Council to cover both a pre-sessional course of no longer than three months' duration and a course of degree level study at that Sponsor; and

(ii) the applicant has an unconditional offer of a place on a course of degree level study at that Sponsor; and

(iii) the course of degree level study commences no later than one month after the end date of the pre-sessional course.

(c) The course must, except in the case of a pre-sessional course, lead to an approved qualification as defined in (cb) below.

(ca) If a student is specifically studying towards an Association of Certified Chartered Accountants (ACCA) qualification or an ACCA Foundations in Accountancy qualification, the sponsor must be an ACCA approved learning partner - student tuition (ALP-st) at either Gold or Platinum level.

(cb) An approved qualification as one that is:

(1) validated by Royal Charter,

(2) awarded by a body that is on the list of recognised bodies produced by the Department for Business, Innovation and Skills,

(3) recognised by one or more recognised bodies through a formal articulation agreement with the awarding body,

(4) in England, Wales and Northern Ireland, on the Register of Regulated Qualifications (<http://register.ofqual.gov.uk/>) at National Qualifications Framework (NQF) / Qualifications and Credit Framework (QCF) level 3 or above,

(5) in Scotland, accredited at Level 6 or above in the Scottish Credit and Qualifications Framework (SCQF) by the Scottish Qualifications Authority,

(6) an overseas qualification that UK NARIC assesses as valid and equivalent to National Qualifications Framework (NQF) / Qualifications and Credit Framework (QCF) level 3 or above, or

(7) covered by a formal legal agreement between a UK-recognised body and another education provider or awarding body. An authorised signatory for institutional agreements within the recognised body must sign this. The agreement must confirm the recognised body's own independent assessment of the level of the Tier 4 Sponsor's or the awarding body's programme compared to the National Qualifications Framework (NQF) / Qualifications and Credit Framework (QCF) or its equivalents. It must also state that the recognised body would admit any student who successfully completes the Tier 4 Sponsor's or the awarding body's named course onto a specific or a range of degree-level courses it offers.

(d) Other than when the applicant is on a course-related work placement or a pre-session course, all study that forms part of the course must take place on the premises of the sponsoring educational institution or an institution which is a partner institution of the migrant's Sponsor.

(e) The course must meet one of the following requirements:

i. be a full time course of degree level study that leads to an approved qualification as defined in (cb) above;

ii. be 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

iii. be 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-session course, lead to an approved qualification, below bachelor degree level as defined in (cb) above.

(f) Where the student is following a course of below degree level study including course-related work placement, the course can only be offered by a Highly Trusted Sponsor. If the course contains a course-related work placement, any period that the applicant will be spending on that placement must not exceed one third of the total length of the course spent in the United Kingdom except :

(i) where it is a United Kingdom statutory requirement that the placement should exceed

one third of the total length of the course; or

(ii) where the placement does not exceed one half of the total length of the course undertaken in the UK and the student is following a course of degree level study and is either:

(a) sponsored by a Sponsor that is a Recognised Body or a body in receipt of public funding as a higher education institution from the Department of Employment and Learning in Northern Ireland, the Higher Education Funding Council for England, the Higher Education Funding Council for Wales or the Scottish Funding Council; or

(b) sponsored by an overseas higher education institution to undertake a short-term Study Abroad Programme in the United Kingdom.

### **Specified documents**

120-SD. Where paragraphs 118 to 120 of this Appendix refer to specified documents, those specified documents are as follows:

(a) In the case of evidence relating to previous qualifications, the applicant must provide, for each qualification, either:

(i) The original certificate(s) of qualification, which clearly shows:

- (1) the applicant's name,
- (2) the title of the award,
- (3) the date of the award, and
- (4) the name of the awarding institution;

(ii) The original transcript of results, which clearly shows:

- (1) the applicant's name,
- (2) the name of the academic institution,
- (3) their course title, and
- (4) confirmation of the award;

or

(iii) If the applicant's Tier 4 sponsor has assessed the applicant by using one or more references, and the Confirmation of Acceptance for Studies Checking Service entry includes details of the references assessed, the original reference(s) (or a copy, together with an original letter from the Tier 4 sponsor confirming it is a true copy of the reference they assessed), which must contain:

- (1) the applicant's name,
- (2) confirmation of the type and level of course or previous experience; and dates of study or previous experience,

- (3) date of the letter, and
- (4) contact details of the referee.

(b) In the case of evidence of the applicant's nationality, the specified documents are the applicant's current valid original passport or travel document. If the applicant is unable to provide this, the UK Border Agency may exceptionally consider this requirement to have been met where the applicant provides full reasons in the passport section of the application form, and either:

- (1) a current national identity document, or
- (2) an original letter from his home government or embassy, on the letter-headed paper of the government or embassy, which has been issued by an authorised official of that institution and confirms the applicant's full name, date of birth and nationality.

120A(a). Points will only be awarded for a valid Confirmation of Acceptance for Studies (even if all the requirements in paragraphs 116 to 120A above are met) if the Sponsor has confirmed that the course for which the Confirmation of Acceptance for Studies has been assigned represents academic progress from previous study, as defined in (b) below undertaken during the last period of leave as a Tier 4 (General) Student or as a Student where the applicant has had such leave, except where:

- (i) the applicant is re-sitting examinations or repeating modules in accordance with paragraph 119 above, or
- (ii) the applicant is making a first application to move to a new institution to complete a course commenced elsewhere.

(b) For a course to represent academic progress from previous study, the course must:

- (i) be above the level of the previous course for which the applicant was granted leave as a Tier 4 (General) Student or as a Student, or
- (ii) involve further study at the same level, which the Tier 4 Sponsor confirms as complementing the previous course for which the applicant was granted leave as a Tier 4 (General) Student or as a Student.

### **Attributes for Tier 4 (Child) Students**

121. An applicant applying for entry clearance or leave to remain as a Tier 4 (Child) Student must score 30 points for attributes.

122. Available points are show in Table 17 below.

123. Notes to accompany Table 17 appear below that table.

123A. In order to obtain points for a Confirmation of Acceptance for Studies, the applicant must provide a valid Confirmation of Acceptance for Studies reference number.

**Table 17**

Criterion	Points awarded
Confirmation of Acceptance for Studies	30

**Notes**

124. A Confirmation of Acceptance for Studies will be considered to be valid only if:

- (a) where the applicant is under 16, it was issued by an independent, fee paying school,
- (b) it was issued no more than 6 months before the application is made,
- (c) the application for entry clearance or leave to remain is made no more than 3 months before the start date of the course of study as stated on the Confirmation of Acceptance for Studies,
- (d) the Sponsor has not withdrawn the offer since the Confirmation of Acceptance for Studies was issued,
- (e) it was issued by an institution with a Tier 4 (Child) Student Sponsor Licence,
- (f) the institution must still hold such a licence at the time the application for entry clearance or leave to remain is determined, and
- (fa) the migrant must not previously have applied for entry clearance, leave to enter or leave to remain using the same Confirmation of Acceptance for Studies reference number, if that application was either approved or refused (not rejected as an invalid application declared void or withdrawn), and
- (g) it contains such information as is specified as mandatory in these immigration rules.

125. A Confirmation of Acceptance for Studies reference number will only be considered to be valid if:

- (a) the number supplied links to a Confirmation of Acceptance for Studies Checking Service entry that names the applicant as the migrant and confirms that the Sponsor is sponsoring him in the Tier 4 category indicated by the migrant in his application for leave to remain (that is, as a Tier 4 (General) Student or a Tier 4 (Child) Student), and
- (b) that reference number must not have been withdrawn or cancelled by the Sponsor or the UK Border Agency since it was assigned.

125A. Points will only be awarded for a Confirmation of Acceptance for Studies if the applicant:

- (a) supplies, as evidence of previous qualifications, the specified documents set out in paragraph 125-SD that the applicant used to obtain the offer of a place on a course from the Sponsor,
- (b) is sponsored by a Highly Trusted Sponsor, is a national of one of the countries or the rightful holder of a qualifying passport issued by one of the relevant competent authorities, as appropriate, listed in Appendix H and is applying for entry clearance in his country of nationality or in the territory related to the passport he holds, as appropriate, or leave to remain in the UK. The UK Border Agency reserves the right to request the specified documents set out in paragraph 125-SD from these applicants. The application will be refused if the specified documents are not provided in accordance with the request made; or
- (c) where the application for entry clearance or leave to remain is for the applicant to commence a new course of study, not for completion of a course already commenced by way of re-sitting examinations or repeating a module of a course, the Sponsor must hold an A-rated or Highly Trusted Sponsor Licence and must not be a Legacy Sponsor, or
- (d) where the Confirmation of Acceptance for Studies is issued by a Legacy Sponsor or a B-rated sponsor, the Confirmation of Acceptance for Studies will only be valid if it is issued for completion of a course already commenced by way of re-sitting examinations or repeating a module of a course and the Confirmation of Acceptance for Studies must be for the same course as the course for which the last period of leave was granted to study with that same sponsor.

### **Specified documents**

125-SD. Where paragraph 125 of this Appendix refers to specified documents evidence relating to previous qualifications, those specified documents are:

- (i) The original certificate(s) of qualification, which clearly shows:
  - (1) the applicant's name,
  - (2) the title of the award,
  - (3) the date of the award, and
  - (4) the name of the awarding institution;
- (ii) The original transcript of results, which clearly shows:
  - (1) the applicant's name,
  - (2) the name of the academic institution,
  - (3) their course title, and
  - (4) confirmation of the award;

126. Points will not be awarded under Table 17 unless the course that the student will be pursuing meets one of the following requirements:

- (a) be taught in accordance with the National Curriculum,
- (b) be taught in accordance with the National Qualification Framework (NQF),
- (c) be accepted as being of equivalent academic status to (a) or (b) above by Ofsted (England), the Education and Training Inspectorate (Northern Ireland), Education Scotland (Scotland) or Estyn (Wales),
- (d) be provided as required by prevailing independent school education inspection standards.
- (e) is a single course of study, except where the Confirmation of Acceptance for Studies is:
  - (i) issued by an independent school to cover both a pre-sessional course and a course at an independent school; and
  - (ii) the applicant has an unconditional offer of a place at the independent school; and
  - (iii) the duration of the pre-sessional course and period of study at the independent school does not exceed the maximum period of entry clearance or leave to remain that can be granted under paragraphs 245ZZB and 245ZZD of the Immigration Rules.