

# Eligibility to Apply Within the UK

To be eligible to apply for a visa for a new course of study within the UK, any Tier 4 General students must:

- be in the UK on a valid Tier 4 visa from a sponsor that is either:
  - an Higher Education Provider with a track record of compliance (Study Group)
  - an overseas Higher Education Institution
  - an Embedded College
  - an Independent School (Bellerbys)
- be applying to study a higher level than the previous course and;
- have *\*successfully completed* the previous course of study for which they were granted a Tier 4 visa

\* Successful completion means the student must have **achieved the overall qualification** for the course.

**A Level:** If a student has been studying A-Levels and achieves a qualification in at least one of the subjects they have been studying, they will be considered to have successfully completed their course.

## Academic Progression

The academic progression rule is in place to ensure that students are progressing academically if they wish to study a further course in the UK, and are not merely seeking to extend their stay in the UK.

The student's new course must be at a higher level than the previous course for which they were given Tier 4 leave (e.g. Foundation to IY1).

If the student's new course is at a lower level than the previous course, this will not represent academic progression and the student must make their Tier 4 General application from overseas (except students on a Tier 4 Child visa).

Tier 4 General students who meet academic progression are eligible to make their next Tier 4 visa application for their new course from within the UK.

If the student has not successfully completed their previous course, this will not represent academic progression and therefore student must make their Tier 4 (General) visa application from overseas (except students on a Tier 4 (Child) visa).

## 2 Year and 5 Year Limit

Students need to ensure that they have enough time to study in the UK.

The two-year and five-year study limits apply to any Tier 4 student (Child and General) from the age of 18 who make their Tier 4 visa application from within or outside the UK.

11 month concession for 2 year limit applies only to students who wish to study A Level Programme and previously never studied in the UK as T4 General Student.  
Any time spent studying as T4 Child Student counts towards the 35 months limit from the student's 18th birthday.

11 month concession for 5 year limit can be applied when student cannot complete 5<sup>th</sup> year of degree studies in the 60 months given.  
Student must be sponsored by HEI and be able to complete the 5<sup>th</sup> year within the 11 months concession (including the additional leave).

## New Course Start Date and Visa Expiry Date

For students making an application from within the UK, the new course start date must be no more than **28 days** from the expiry date on the previous visa.  
Applications for a new Tier 4 visa must be submitted while the student's current leave is still valid.

If a student has overstayed their granted leave and has provided a plausible reason which was beyond the control of the student (which must be reviewed by the Visa Compliance Team), the date a new visa application made must be no more than **14 days** from when the period of overstaying begun.

If a student has overstayed for any period of time (even for 1 day) on their previous visa, or no longer has any valid leave to remain, please contact the Visa Compliance Team before proceeding with the students course application.