NATIONAL NEWS

Immigration Rules

continued from p.2 **Re-sits of examinations**

Requirements for leave to enter to re-sit an examination

69A. DELETED.

Leave to enter to re-sit an examination

69B. DELETED.

Refusal of leave to enter to re-sit an examination

69C. DELETED.

Requirements for an extension of stay to re-sit an examination 69D. DELETED.

Extension of stay to re-sit an exami-

nation 69E. DELETED.

Refusal of extension of stay to re-sit

an examination

69F. DELETED. Writing up a thesis

Requirements for leave to enter to

write up a thesis

69G. DELETED.

Leave to enter to write up a thesis 69H. DELETED.

Refusal of leave to enter to write up

a thesis

691. DELETED. Requirements for an extension of stay to write up a thesis

69J. DELETED.

Extension of stay to write up a thesis 69K. DELETED.

Refusal of extension of stay to write up a thesis

69L. DELETED.

Overseas qualified nurse or midwife Requirements for leave to enter as an overseas qualified nurse or midwife 69M. DELETED.

Leave to enter the United Kingdom as an overseas qualified nurse or midwife

69N. DELETED.

Refusal of leave to enter as an overseas qualified nurse or midwife 690. DELETED.

Requirements for an extension of stay as an overseas qualified nurse

or midwife 69P. DELETED.

Extension of stay as an overseas qualified nurse or midwife

69Q. DELETED.

Refusal of extension of stay as an overseas qualified nurse or midwife 69R. DELETED.

Requirements for leave to enter the United Kingdom as a postgraduate

doctor or dentist 70. DELETED.

Leave to enter as a postgraduate doctor or dentist 71. DELETED.

Refusal of leave to enter as a post-

75B. A person seeking leave to enter the United Kingdom to take the PLAB Test may be admitted for a period not exceeding 6 months subject to a condition prohibiting employment, study and recourse to public funds, provided the Immigration Officer is satisfied that each of the requirements of paragraph 75A is met. Refusal of leave to enter to take the PLAB Test

75C. Leave to enter the United Kingdom to take the PLAB Test is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 75A is met.

Requirements for an extension of stay in order to take the PLAB Test 75D. The requirements for an extension of stay in the United Kingdom in order to take the PLAB Test are that the applicant:

(i) was given leave to enter the United Kingdom for the purposes of taking the PLAB Test in accordance with paragraph 75B of these Rules; and (ii) intends to take the PLAB Test and can provide documentary evidence of a confirmed test date, by way of a letter or email from the General Medical Council or a test admission card; and

(iii) meets the requirements set out in paragraph 41 (iii)-(vii); and (iv) intends to leave the United Kingdom at the end of the leave granted under this paragraph unless he is successful in the PLAB Test and granted leave to remain to undertake a clinical attachment in accordance with paragraphs 75G to 75M of these Rules; and

(v) would not as a result of an extension of stay spend more than 18 months in the United Kingdom for the purpose of taking the PLAB Test; and

(vi) must not be in the UK in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded. Extension of stay to take the PLAB Test

75E. A person seeking leave to remain in the United Kingdom to take the PLAB Test may be granted an extension of stay for a period not exceeding 6 months, subject to a condition prohibiting employment, study and recourse to public funds, provided the Secretary of State is satisfied that each of the requirements of paragraph 75D is met. Refusal of extension of stay to take

the PLAB Test 75F. Leave to remain in the United the United Kingdom to undertake a clinical attachment or dental observer post may be admitted for the period of the clinical attachment or dental observer post, up to a maximum of 6 weeks at a time or 6 months in total in this category, subject to a condition prohibiting employment, study and recourse to public funds, provided the Immigration Officer is satisfied that each of the requirements of paragraph 75G is met.

Refusal of leave to enter to undertake a clinical attachment or dental observer post

75J. Leave to enter the United Kingdom to undertake a clinical attachment or dental observer post is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 75G is met.

Requirements for an extension of stay in order to undertake a clinical attachment or dental observer post 75K. The requirements to be met by a person seeking an extension of stay to undertake a clinical attachment or dental observer post are that the applicant:

(i) was given leave to enter or remain in the United Kingdom to undertake a clinical attachment or dental observer post or:

(a) for the purposes of taking the PLAB Test in accordance with paragraphs 75A to 75F and has passed both parts of the PLAB Test; (b) as a postgraduate doctor, dentist or trainee general practitioner in accord-

ance with paragraphs 70 to 75; or (c) as a work permit holder for employment in the UK as a doctor or dentist in accordance with paragraphs 128 to 135; and

(ii) is a graduate from a medical or dental school and intends to undertake a clinical attachment or dental observer post in the United Kingdom; and

(iii) can provide documentary evidence of the clinical attachment or dental observer post which will: (a) be unpaid; and

(b) only involve observation, not treatment, of patients; and

(iv) intends to leave the United Kingdom at the end of the leave granted under this paragraph; and (v) meets the requirements of paragraph 41 (iii) - (vii) of these Rules; and

(vi) if he has previously been granted leave in this category, is not seeking an extension of stay which, when amalgamated with those previous periods of leave, would total more than 6 months; and

(vii) must not be in the UK in breach

main in the United Kingdom as the spouse or civil partner of a student or a prospective student are that:

(i) the applicant is married to or the civil partner of a person admitted to or allowed to remain in the United Kingdom under paragraphs 57-75 or 82-87F; and

(ii) each of the parties intends to live with the other as his or her spouse or civil partner during the applicant's stay and the marriage or the civil partner of is subsisting; and

(iii) there will be adequate accommodation for the parties and any dependants without recourse to public funds; and

(iv) the parties will be able to maintain themselves and any dependants adequately without recourse to public funds; and

(v) the applicant does not intend to take employment except as permitted under paragraph 77 below; and

(vi) the applicant intends to leave the United Kingdom at the end of any period of leave granted to him; and (vii) if seeking leave to remain must not be in the UK in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded.

Leave to enter or remain as the spouse or civil partner of a student or prospective student

77. A person seeking leave to enter or remain in the United Kingdom as the spouse or civil partner of a student or a prospective student may be admitted or allowed to remain for a period not in excess of that granted to the student or prospective student provided the Immigration Officer or, in the case of an application for limited leave to remain, the Secretary of State is satisfied that each of the requirements of paragraph 76 is met. Employment may be permitted where the period of leave granted to the student or prospective student is, or was, 12 months or more.

Refusal of leave to enter or remain as the spouse or civil partner of a student or prospective student

78. Leave to enter or remain as the spouse or civil partner of a student or prospective student is to be refused if the Immigration Officer or, in the case of an application for limited leave to remain, the Secretary of State is not satisfied that each of the equirements of paragraph 76 is met.

Children of students or prospective students granted leave under this part of the Rules: Require-

other being granted entry clearance as a prospective student are that the or leave to remain at the same time as the applicant, unless:

(i) The student or prospective student is the applicant's sole surviving parent, or

(ii) The student or prospective student parent has and has had sole responsibility for the applicant's upbringing, or

(iii) there are serious or compelling family or other considerations which would make it desirable not to refuse the application and suitable arrangements have been made in the UK for the applicant's care. Leave to enter or remain as the

child of a student or prospective student

80. A person seeking leave to enter or remain in the United Kingdom as the child of a student or prospective student may be admitted or allowed to remain for a period not in excess of that granted to the student or prospective student provided the Immigration Officer or, in the case of an application for limited leave to remain, the Secretary of State is satisfied that each of the requirements of paragraph 79 is met. Employment may be permitted where the period of leave granted to the student or prospective student is, or was, 12 months or more.

Refusal of leave to enter or remain as the child of a student or prospective student

81. Leave to enter or remain in the United Kingdom as the child of a student or prospective student is to be refused if the Immigration Officer or, in the case of an application for limited leave to remain, the Secretary of State, is not satisfied that each of the requirements of paragraph 79 is met.

Prospective students Requirements for leave to enter as a prospective student

82. The requirements to be met by a person seeking leave to enter the United Kingdom as a prospective student are that he:

(i) can demonstrate a genuine and realistic intention of undertaking, within 6 months of his date of entry: (a) a course of study which would meet the requirements for an extension of stay as a student under paragraph 245ZX or paragraph 245ZZC; and

(b) **DELETED**

(ii) intends to leave the United Kingdom on completion of his studies or on the expiry of his leave to enter if he is not able to meet the requirements for an extension of stay:

applicant:

(i) was admitted to the United Kingdom with a valid prospective student entry clearance; and

(ii) meets the requirements of paragraph 82; and

(iii) would not, as a result of an extension of stay, spend more than 6 months in the United Kingdom; and (iv) must not be in the UK in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded. Extension of stay as a prospective student

86. An extension of stay as a prospective student may be granted, with a prohibition on employment, provided the Secretary of State is satisfied that each of the requirements of paragraph 85 is met.

Refusal of extension of stay as a prospective student

87. An extension of stay as a prospective student is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 85 is met.

Students' unions sabbatical officers **Requirements for leave to enter as** a sabbatical officer

87A. DELETED.

Leave to enter the United Kingdom as a sabbatical officer

87B. DELETED.

stay as a sabbatical officer

87D. **DELETED.**

87E. DELETED.

sabbatical officer

87F. DELETED.

these Rules;

months; or

travel document.

Immigration Rules

ficer

Refusal of leave to enter the United Kingdom as a sabbatical officer 87C. DELETED.

Requirements for an extension of

Extension of stay as a sabbatical of-

Refusal of extension of stay as a

Part 10 - Registration with the police

325. For the purposes of paragraph

326, a "relevant foreign national" is

(i) a national or citizen of a country

or territory listed in Appendix 2 to

(iii) a person holding a non-national

326 (1) Subject to sub-paragraph (2)

below, a condition requiring regis-

tration with the police should nor-

mally be imposed on any relevant

(i) given limited leave to enter the

United Kingdom for longer than six

(ii) given limited leave to remain

a person aged 16 or over who is:

(ii) a stateless person; or

foreign national who is:

graduate doctor or 72. **DELETED.**

Requirements for an extension of stay as a postgraduate doctor or dentist

73. DELETED.

Extension of stay as a postgraduate doctor or dentist 74. DELETED.

Refusal of an extension of stay as a postgraduate doctor or dentist 75. DELETED.

Requirements for leave to enter the United Kingdom to take the PLAB Test

75A. The requirements to be met by a person seeking leave to enter in order to take the PLAB Test are that the applicant:

(i) is a graduate from a medical school and intends to take the PLAB Test in the United Kingdom; and (ii) can provide documentary evidence of a confirmed test date or of

his eligibility to take the PLAB Test by way of a letter or email from the General Medical Council or a test admission card; and (iii) meets the requirements of paragraph 41 (iii) -(vii) for entry as a visitor; and (iv) intends to leave the United Kingdom at the end of the leave granted under this paragraph unless he is successful in the PLAB Test and granted leave to remain to undertake a clinical attachment in accordance with paragraphs 75G to 75M of these Rules.

Leave to enter to take the PLAB Test

Kingdom to take the PLAB Test is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 75D is met. Requirements for leave to enter to undertake a clinical attachment or dental observer post

75G. The requirements to be met by a person seeking leave to enter to undertake a clinical attachment or dental observer post are that the applicant:

(i) is a graduate from a medical or dental school and intends to undertake a clinical attachment or dental observer post in the United Kingdom; and

(ii) can provide documentary evidence of the clinical attachment or dental observer post which will: (a) be unpaid; and

(b) only involve observation, not treatment, of patients; and (iii) meets the requirements of paragraph 41 (iii)-(vii) of these

Rules; and

(iv) intends to leave the United Kingdom at the end of the leave granted under this paragraph;

(v) if he has previously been granted leave in this category, is not seeking leave to enter which, when amalgamated with those previous periods of leave, would total more than 6 months.

Leave to enter to undertake a clinical attachment or dental observer post

75H. A person seeking leave to enter

of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded. Extension of stay to undertake a clinical attachment or dental observer post

75L. A person seeking leave to remain in the United Kingdom to undertake a clinical attachment or dental observer post up to a maximum of 6 weeks at a time or 6 months in total in this category, subject to a condition prohibiting employment, study and recourse to public funds, may be granted an extension of stay for the period of their clinical attachment or dental observer post, provided that the Secretary of State is satisfied that each of the requirements of paragraph 75K is met.

Refusal of extension of stay to undertake a clinical attachment or dental observer post

75M. Leave to remain in the United Kingdom to undertake a clinical attachment or dental observer post is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 75K is met.

Spouses or civil partners of students or prospective students granted leave under this part of the Rules Requirements for leave to enter or remain as the spouse or civil partner of a student or prospective student

76. The requirements to be met by a person seeking leave to enter or re-

ments for leave to enter or remain as the child of a student or prospective student

79. The requirements to be met by a person seeking leave to enter or remain in the United Kingdom as the child of a student or prospective student are that he:

(i) is the child of a parent admitted to or allowed to remain in the United Kingdom as a student or prospective student under paragraphs 57-75 or 82-87F; and

(ii) is under the age of 18 or has current leave to enter or remain in this capacity; and

(iii) is not married or in a civil partnership, has not formed an independent family unit and is not leading an independent life; and

(iv) can, and will, be maintained and accommodated adequately without recourse to public funds; and (v) will not stay in the United Kingdom beyond any period of leave granted to his parent; and

(vi) meets the requirements of paragraph 79A; and

(vii) if seeking leave to remain must not be in the UK in breach of immigration laws except that any period of overstaying for a period of 28 days or less will be disregarded. 79A. Both of the applicant's parents must either be lawfully present in the UK, or being granted entry clearance or leave to remain at the same time as the applicant or one parent must be lawfully present in the UK and the

(a) as a student in accordance with paragraph 245ZX or paragraph 245ZZC; and

(b) **DELETED**

(iii) is able without working or recourse to public funds to meet the costs of his intended course and accommodation and the maintenance of himself and any dependants while making arrangements to study and during the course of his studies; and

(iv) holds a valid United Kingdom entry clearance for entry in this capacity.

Leave to enter as a prospective student 83. A person seeking leave to enter the United Kingdom as a prospective student may be admitted for a period not exceeding 6 months with a condition prohibiting employment, provided he is able to produce to the Immigration Officer on arrival a valid United Kingdom entry clearance for entry in this capacity.

Refusal of leave to enter as a prospective student

84. Leave to enter as a prospective student is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 82 is met.

Requirements for extension of stay as a prospective student

85. Six months is the maximum permitted leave which may be granted to a prospective student. The requirements for an extension of stay which has the effect of allowing him to remain in the United Kingdom for longer than six months, reckoned from the date of his arrival (whether or not such a condition was imposed when he arrived).

(2) Such a condition should not normally be imposed where the leave is given:

(i) as a seasonal agricultural worker; (ii) as a Tier 5 (Temporary Worker) Migrant, provided the Certificate of Sponsership Checking System refrence for which points were awarded records that the applicant is being sponsored as an overseas goverment employee or a private servant is a diplomatic household; (iii) as a Tier 2 (Minister of Religion) Migrant;

(iv) on the basis of marriage to or civil partnership with a person settled in the United Kingdom or as the unmarried or same-sex partner of a person settled in the United Kingdom

(v) as a person exercising access rights to a child resident in the United Kingdom;

(vi) as the parent of a child at school; or (vii) following the grant of asylum. (3) Such a condition should also be imposed on any foreign national given limited leave to enter the United Kingdom where, exceptionally, the Immigration Officer considers it necessary to ensure that he complies with the terms of the leave.