



UK Visas
& Immigration

TIER 5
(YOUTH MOBILITY
SCHEME)
VERSION 04/14

Tier 5 (Youth Mobility Scheme) of the Points - Based System Policy Guidance

This guidance
is to be used
for applications
made on or after
6 April 2014

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Introduction

1. This document provides policy guidance on Tier 5 (Youth Mobility Scheme) of the Points-Based System (also referred to as YMS). The YMS is only available to certain nationalities or passport holders (see Annex A of this guidance and Appendix G of the Immigration Rules). Please note that the guidance reflects policy at the current date and may be subject to change. It should be read in conjunction with paragraphs 245ZI to 245ZL of the Immigration Rules.

2. If you are outside the United Kingdom and wish to obtain entry clearance under the Points-Based System, you should use form VAF9. You will also need to complete a separate appendix for the category under which you are applying. These forms and separate notes on completing them are available at www.ukvisas.gov.uk/en/howtoapply/vafs.

3. You may apply for entry clearance under the YMS at a post in the country or territory of which you are a national. You may also apply to a post in a country or territory where you are staying at the time of application, even if this is not your normal place of residence, provided that the following conditions are met:

- the entry clearance post is authorised to accept entry clearance applications for YMS; and
- you are a citizen of a country or hold a passport issued by a territory that has Deemed Sponsorship Status (see definition below); and
- you are able to demonstrate to the Entry Clearance Officer that at the date of the application you have the authority to stay in that country or territory; and
- that authority was granted for a period of more than 6 months.

If you are from a country or territory that does not have Deemed Sponsorship Status, you may apply at a post in your own country or territory.

Deemed Sponsorship Status means that the country or territory is not required to issue its nationals or passport holders with a Certificate of Sponsorship in order to enable a successful application under the Tier 5 Youth Mobility Scheme and is only held by a country or territory listed as such in Annex A of this guidance and at Appendix G of the Immigration Rules.

(Detailed information on where to apply can be found in paragraphs 28, 28A and 29 of the Immigration Rules.)

4. Applications will not be accepted if you are already in the United Kingdom.

General Guidance for the Points-Based System

Self-Assessment

5. We have an online tool that enables you to self-assess your application to see whether or not you are likely to score enough points for the application to succeed.

6. The points-based calculator is on our website at www.ukba.homeoffice.gov.uk.

7. You can enter details of your nationality and age. The points-based calculator then calculates the points we may award for the attributes section of the points assessment. You can also then enter details of whether you have enough money to support yourself in the United Kingdom. In addition to making this assessment you need to consider whether the additional requirements are met (paragraphs 51 to 53 below refer).

8. The points-based calculator will provide a summary of the information you enter, the points awarded for each section and the overall score.

9. Under Tier 5 (Youth Mobility Scheme), you must score:

- 40 points for Attributes (Appendix A of the Immigration Rules); and
- 10 points for Maintenance (Funds) (Appendix C of the Immigration Rules).

10. The results of the points-based calculator show the possible points you might score and do not guarantee your application will be successful. We make a decision after receiving the full application and the evidence to support it.

Documents we require to support applications under the Points-Based System

11. You must ensure you provide all of the necessary supporting documents at the time you send us the application. If the Immigration Rules state that specified documents must be provided, we will say so in this guidance and we will only accept those documents.

12. If you do not provide the specified documents, we will contact you to ask for them **only** when you have submitted:

- A sequence of documents, and some of the documents in the sequence have been omitted (for example, if one bank statement from a series is missing);
- A document is in the wrong format;
- A document that is a copy and not an original document;
- A document that does not contain all the specified information.

We will contact you or your representative in writing and by telephone, and the evidence must be received by the Home Office processing centres within 7 working days. If you do not send in the correct documents we may refuse the application.

If you have submitted a specified document that:

- Is in the wrong format;
- Is a copy and not an original document;
- Does not contain all the specified information, but the necessary information is verifiable from:
 - other documents submitted with the application;
 - the website of the organisation which issued the document;
 - the website of the appropriate regulatory body.

We may approve your application exceptionally if we are satisfied that the specified documents are genuine and that you meet all the other requirements. We reserve the right to request the original documents in the correct format and to refuse applications if the specified documents are not provided.

We will not ask for further information where a specified document has been submitted (for example, all evidence of meeting the maintenance requirement is missing); or where we do not anticipate that a correction of minor errors or omissions will lead to an approval because the application will fail for other reasons.

13. Any documentary evidence that you provide should be original (not a copy) unless we say otherwise.

14. Where a document is not in English or Welsh, the original must be accompanied by a fully certified translation by a professional translator. This translation must include details of the translator's credentials and confirmation that it is an accurate translation of the original document. It must also be dated and include the original signature of the translator.

15. You should carefully select the right evidence to send us. If you send us a lot of irrelevant or poor-quality documents, it may take us longer to consider your application. We only need evidence that is directly relevant to the application as set out in this guidance. We will not consider unrelated evidence when calculating the points score.

Verification and Other Checks

16. We aim to consider applications quickly. However, we must also be confident that applications meet the requirements of the Immigration Rules, and that the information you provide is a true reflection of your background.

17. We will ask for a variety of verifiable documents to enable us to consider your application.

18. We may want to check the supporting documents you send with your application. Therefore, you must ensure that all evidence comes from a source that can be clearly identified and that it can be independently confirmed as being genuine.

19. There are two situations in which we will undertake a check:

- **verification checks** – where we have reasonable doubts that the documents are genuine;
- **other checks** – where we carry out further checks, for example:
 - allegations – where we have received an allegation that you have made a false application; or
 - additional checks – where we have doubts about an application or the documents sent with the application but the doubts are not serious enough for us to make a verification check.

Verification Checks

20. Where we have **reasonable doubts** that a specified document is genuine we may want to verify the document with an independent person or government agency.

21. The purpose of these checks is to ensure that the document provided is genuine and accurately reflects statements made in the application. If the document is being used as evidence to score points, we also want to ensure that it entitles you to be awarded those points.

22. Verification may delay our decision on an application so we will only do it when there are clear reasons for it.

Reasonable Doubt

23. There are many reasons why we may doubt that a specified document is genuine and what we consider to be a reasonable doubt will depend on an individual application. However, our judgements will be based on the facts we have.

Outcome of Verification Check

24. There are three possible outcomes of a verification check.

- **Document confirmed as genuine.** If we can conclude that the document is genuine, we will consider the application as normal.
- **Document confirmed as false.** If we can conclude that the document is false, we will refuse the application, whether or not the document is essential to the application. If a document is confirmed as false, we will normally refuse the application for more than one reason. For example, if you send us a bank statement to show that you have enough funds available, and we have evidence that the statement is false, we will refuse your application because you do not meet the funds requirement and because you have sent a false document.
- **Verification check inconclusive.** If we cannot verify that the document is either genuine or false then we will ignore it as evidence for scoring points. If you have sent other specified documents as evidence for scoring the relevant points, we will consider these as normal. If you have not sent any other documents, we will award zero points in that area.

Refusing applications without making further checks

25. We may refuse an application without making verification checks in two circumstances:

- Where we are concerned about a piece of evidence but would in any event refuse the application for other reasons, those reasons will form the basis of the refusal. We will not make verification checks in these circumstances. However, we will always verify passports if we doubt they are genuine.
- Where there is evidence that proves a particular document is false. If we can confirm that a document is false we will normally refuse the application for more than one reason. For example, if you send us a bank statement to show that you have enough funds available, and we have evidence that the statement is false, we will refuse your application because you do not meet the funds requirement and because you have sent a false document.

Other Checks

26. We will make other checks where, for example:

- we have received an allegation that you have made a false application; or
- we have doubts about an application or the documents sent with the application but these are not serious enough for us to make a verification check.

27. These checks may delay our decision on an application so we will only make them when we have clear reasons to do so.

Allegations

28. If we receive an allegation about a particular person, company or document that relates to an application, we may make more checks to confirm that the application and all information provided are correct.

Extra Checks

29. Sometimes we will have suspicions about a document, but they will not be enough to make us doubt that it is genuine. For example, this may be because previous verification checks have found that some supporting evidence is invalid and some is genuine, or where evidence provided contradicts information we already have. In these cases, we may carry out more checks.

Outcome of Check

30. There are four possible outcomes of these checks:

- **Document confirmed as genuine.** If we can conclude that the document is genuine, we will consider the application as normal.
- **Document confirmed as false.** If we can conclude that the document is false, we will refuse the application, whether or not the document is essential to the application. If a document is confirmed as false we will normally refuse the application for more than one reason. For example, if you send us a bank statement to show that you have enough funds available, and we have evidence that the statement is false, we will refuse the application because you do not meet the funds requirement and because you have sent a false document.
- **Check inconclusive.** If we cannot verify that the document is either genuine or false then we will consider the application as if it is genuine.
- **Check gives us cause to have reasonable doubt about the genuineness of a specified document.** If we cannot verify that the document is either genuine or false but as a result of the checks, we find other reasons to doubt the genuineness of a particular specified document, we may decide to make a verification check.

Procedure for verification and other checks

31. The procedures for both verification checks and other checks will usually be similar and will vary from case to case, but they may involve:

- checking the details or genuineness of documents with employers, the relevant embassy or High Commission, other government departments (in the United Kingdom and overseas); and
- checking the accuracy and authenticity of documents with banks, universities and professional bodies.

Standard procedure

32. We will use a standard form to record the results of our enquiries, to ensure that we record any feedback consistently.

33. If we cannot obtain an immediate answer to enquiries we will normally wait for up to a maximum of four weeks for the necessary information.

Administrative Review

34. If we refuse your application for entry clearance and you think that a mistake has been made, you can ask us to check our decision. This is known as 'administrative review.' Full guidance on administrative review can be found at Annex C below.

Tier 5 (Youth Mobility Scheme) Overview of Terms and Conditions

Overview of Terms and Conditions

35. The key features of the Tier 5 (Youth Mobility Scheme) are in the table below. For more information, see paragraphs 245ZI to 245ZL of the Immigration Rules.

Description of category	<p>The Tier 5 (Youth Mobility Scheme) is for sponsored young people from participating countries and territories who wish to experience life in the United Kingdom. Your government/authority acts as your sponsor. The countries and territories listed in Annex A are currently the only ones participating in the YMS.</p> <p>If your application is successful you will be free to do whatever work you like during your stay in the United Kingdom, except for self employment (subject to certain exceptions), working as a professional sportsperson (including as a sports coach) or working as a doctor or dentist in training.</p> <p>NB Any work in which a YMS participant engages must be compliant with United Kingdom and European Union laws, directives and regulations.</p> <p>YMS temporary migrants may also engage in privately-funded studies, voluntary work* and au pair** placements as and when they wish.</p> <p>NB: The Youth Mobility Scheme Rules in force at the date you are granted entry clearance will apply to the entrant.</p>
Period of grant	2 years' validity of entry clearance
Switching into another route	Switching into any other Points-Based System route or into visitor status is not allowed.
<p>*Information on the National Minimum wage exemption for voluntary workers is included in the NWM guidance in the website link: http://www.berr.gov.uk/files/file11671.pdf</p> <p>**Information on au pair opportunities in the UK can be obtained from the British Au Pair Agencies Association which has the website link: http://www.bapaa.org.uk/</p>	
Extension of stay	Not permitted.

Attributes

Date of application

36. The date of application will, in all cases, be taken to be the date that the fee associated with the application is paid. This means the date shown on your payment receipt, which depends on how you paid for your visa application, for example, at a British Diplomatic Post, visa application centre or online.

National of a country or passport holder of a territory participating in the YMS

Claiming points

37. Please refer to paragraphs 101 to 104 of Appendix A of the Immigration Rules. You can be awarded 30 points if you are either:

- a) A citizen of a country or passport holder of a territory listed in Appendix G to the Immigration Rules (See Annex A); or
- b) A British Overseas Citizen, British Overseas Territories Citizen or British National (Overseas) as defined by the British Nationality Act 1981.

Documents required

38. Paragraph 245AA of the Immigration Rules states that we will only award points when you provide the specified evidence that you meet the requirements for this category. Paragraph 101 of Appendix A also says that specified documents must be provided as evidence of all matters in respect of which points are claimed.

39. You must produce a valid passport to confirm you are a national of a country or the rightful holder of a passport issued by a territory participating in the YMS, or a British Overseas Citizen, British Overseas Territories Citizen or British National (Overseas).

If you are from a country or territory without Deemed Sponsorship Status you must also submit a valid Certificate of Sponsorship issued by your country or territory when you make your application.

Age

Claiming points

40. Please refer to paragraphs 101 to 104 of Appendix A of the Immigration Rules. You can claim 10 points if you:

- will be 18 or over at the time your entry clearance becomes valid for use;

and

- were under the age of 31 on the date your application was made.

Documents required

41. In all cases we will use the passport issued by your country or territory participating in the YMS to confirm that your age is within the prescribed range.

Maintenance Funds

Claiming points

Maintenance Requirement

42. Please refer to paragraph 245B of the Immigration Rules.

43. One of the requirements of Tier 5 (Youth Mobility Scheme) is that if you are coming to the United Kingdom under the Youth Mobility Scheme, you must be able to support yourself for the entire duration of your stay in the United Kingdom without use of public funds (for example benefits provided by the state). If you are unable to support yourself, you could face financial hardship because you will not have access to most state benefits.

44. The evidence of maintenance must be of cash funds in the bank (this includes savings accounts and current accounts even when notice must be given), or loan available to you. Other accounts or financial instruments such as shares, bonds, overdrafts, credit cards, pension funds etc, regardless of notice period, are not acceptable. We will not consider money earned during a time that an applicant was in breach of the United Kingdom's immigration laws as evidence of maintenance funds.

45. If you wish to rely on a joint account as evidence of available funds, you must be named on the account along with one or more other named individual.

46. In order to qualify for entry clearance under Tier 5 (Youth Mobility Scheme), you must show that you have enough money to support yourself. The funds requirement for YMS is £1800, or £1890 if applying on or after 1 July 2014, for which 10 points will be awarded. This amount must be held in your personal bank account on the date of the application for entry clearance. (NB The adequacy of the funds held will be judged against the exchange rate at the date of application, so you will need to have sufficient funds in their accounts to ensure that the maintenance requirement will be met despite changes in the exchange rate).

47. You should also assess the potential costs of living in the United Kingdom. If you do not expect to receive any income from your work in the United Kingdom after the first month, you should ensure that you have enough money to support yourself.

Documents required

48. This evidence must be original, on the official letter-headed paper or stationery of the organisation and bearing the official stamp of that organisation. It must have been issued by an authorised official of that organisation. All evidence must be dated no more than one month before the application is submitted. Appendix C of the Immigration Rules states that only specified documents will be accepted as evidence of this requirement. The specified documents are:

1. Building Society/Savings account pass book

The Building Society/Savings account pass book should clearly show:

- your name;
- your account number;
- the financial institution's name and logo;
- that there are sufficient funds present in the account (the balance must be at least £1800, or £1890 if applying on or after 1 July 2014);

2. Personal bank or Building Society statements

The personal bank or Building Society statements should clearly show:

- your name;
- your account number;
- the date of the statement;
- the financial institution's name and logo;
- that there are sufficient funds present in the account (the balance must be at least £1800, or £1890 if applying on or after 1 July 2014);

Ad hoc bank statements printed on the bank's letterhead are admissible as evidence (this excludes mini-statements from cash points).

If you wish to submit electronic bank statements these must contain all of the details listed above. In addition, you will need to provide a supporting letter from your bank, on company headed paper, confirming the authenticity of the statements provided. Alternatively, an electronic bank statement bearing the official stamp of the bank in question will be accepted. This stamp should appear on every page of the statement.

3. Letter from bank or Building Society confirming funds

The letter from the bank or Building Society should show:

- your name;
- your account number;
- the date of the letter;
- the financial institution's name and logo;
- that funds of at least £1800, or £1890 if applying on or after 1 July 2014, are held in your account.

4. Letter from a financial institution regulated by the home regulator (official regulatory body for the country in which the institution operates) confirming funds

The letter from the financial institution should show:

- your name;
- your account number;
- the date of the letter;
- the financial institution's name and logo;

- that funds of at least £1800, or £1890 if you apply on or after 1 July 2014, are held in your account.

Additional Requirements

49. In addition to scoring a total of 40 points under Appendix A and 10 points under Appendix C (see above), if you are applying for entry clearance under the Youth Mobility Scheme you must also meet the following additional requirements:

- you must have no children under the age of 18 who are either living with you or for whom you are financially responsible (i.e. paying maintenance);
- you must not previously have spent time in the United Kingdom as a Working Holidaymaker or as a Tier 5 (Youth Mobility Scheme) Temporary Migrant;

50. The entry clearance application form will require you to confirm that the requirements above have been met. No documentary evidence will be required in support of the confirmations, but applications will be refused if evidence comes to light that these requirements are not met. In addition to the two requirements noted in the paragraph above, you must also not fall for refusal under the General Grounds for Refusal (GGFR). Although the entry clearance application form will not require you to confirm that you do not fall for refusal under GGFR, you may be refused on those grounds.

51. All the requirements of the Immigration Rules must be met.

Annual Allocations

52. There will be annual allocations of places on the Youth Mobility Scheme for each of the individual participating countries or territories. Youth Mobility Scheme entry clearance applications from nationals of a country or territory listed in Annex A will be accepted for consideration only up to the point that their country's or territory's annual Youth Mobility Scheme allocation for that year has been filled. All Youth Mobility Scheme entry clearance applications from British Overseas Citizens, British Overseas Territories Citizens and British Nationals (Overseas) will be accepted for consideration. If the annual allocation is reached a notice will be released to notify customers of this. The notice will be published on the relevant UK embassy, High Commission or Diplomatic Post website.

Medical Treatment During A Youth Mobility Scheme Stay

53. General Practitioners (Doctors) have the right to register migrants as patients at their own discretion, and some National Health Service (NHS) hospital treatment is free to all in the United Kingdom, for example, treatment given in an Accident and Emergency Department, and treatment for some infectious diseases such as tuberculosis, but, under Department of Health regulations, there are restrictions on non-residents' access to NHS hospital treatment in England (and similar, though not identical, regulations apply in other parts of the United Kingdom).

54. The Department of Health regulations currently allow Youth Mobility Scheme participants to be exempt from charges for NHS hospital treatment after they have spent a period of 12 months in the United Kingdom. They will also be exempt during periods of employment (including self-employment) in the first 12 months of their stay, but not during periods in that first 12 months when they are not working. Information on entitlement to free hospital treatment can be accessed via the link: www.dh.gov.uk/overseasvisitors

55. NB The United Kingdom has reciprocal health agreements with some countries, but these are restricted to allowing relevant nationals who are temporary visitors to access to certain forms of healthcare, in certain circumstances, free of charge.

Breaches of Youth Mobility Scheme Leave to Enter

56. If you are granted leave as a Tier 5 (Youth Mobility) Temporary Migrant, you can stay in the UK for the period of the validity of your entry clearance but you cannot obtain an extension of your YMS stay. You cannot switch into any other Points-Based System route, or into leave as a visitor. If you do not observe all the conditions of your leave to enter, or if you remain in the United Kingdom beyond the time limited by your leave, you may be liable to removal from the United Kingdom under Section 10(1) of the 1999 Immigration Act. (It is an offence under Section 24(1)(b) of the Immigration Act of 1971 for a person to knowingly overstay or otherwise fail to observe a condition of their leave.) Further guidance on this is set out in Chapter 50 of the guidance which can be accessed via the website link:

<http://www.ind.homeoffice.gov.uk/sitecontent/documents/policyandlaw/enforcement/detentionandremovals/>

57. New penalties for employers who employ those who are in breach of their conditions were introduced on 29 February 2008 by the Immigration, Asylum and Nationality Act 2006 and guidance for employers on preventing illegal working can be accessed via this link: www.ukba.homeoffice.gov.uk/employers/preventingillegalworking/). Please note that those who knowingly employ migrants who are in breach of their conditions may be committing a criminal offence.

58. Data on breaches of conditions by YMS migrants will be included in the annual YMS risk assessments, and consequently may affect a country's eligibility for inclusion in the YMS or for Deemed Sponsor status and consequently its allocation of places on the scheme.

Annex A - List of Countries and Territories Participating in the YMS

Australia*

Canada*

Hong Kong Special Administrative Region

Japan*

Monaco*

New Zealand*

South Korea

Taiwan

*** denotes countries or territories with Deemed Sponsorship Status**

The countries and territories listed above are the only countries currently participating in the YMS.

The Hong Kong Special Administrative Region, Taiwan, and South Korea are currently the only participating countries or territories without Deemed Sponsorship Status. If you are from the Hong Kong Special Administrative Region, you should contact the Labour Department, who will be responsible for issuing Certificates of Sponsorship. If you hold a passport issued in Taiwan, you should contact the National Youth Commission for details of how to apply for a Certificate of Sponsorship. For details of how to apply if you are from South Korea, you should contact the Consular Services Division in the Ministry of Foreign Affairs.

Annex B - Youth Mobility Points Table

Pass mark: 40 + 10. You must score a total of 40 points for nationality or as a passport holder and age as well as 10 points for maintenance.

Criterion	Points awarded
<p>Either:</p> <p>You are a citizen of a country or holds a passport issued by a territory in Annex A of this guidance; or</p> <p>You are a British Overseas Citizen, British Overseas Territories Citizen or British National (Overseas)</p>	30
<p>Meets both of the following requirements:</p> <p>You will be 18 or over when your entry clearance becomes valid for use: and</p> <p>You were under the age of 31 on the date your application was made.</p>	10
<p>Maintenance</p> <p>You have £1800, or £1890 if you apply on or after 1 July 2014, which is held in your personal bank account on the date of application for entry clearance</p>	10

Annex C - Administrative Review

1. What is Administrative Review?

Administrative Review is the mechanism for reviewing refusal decisions made under the Points-Based System (PBS) where you believe an error has been made in the decision. The Administrative Review is free of charge.

Administrative Review is an entitlement but the request must be made within 28 days from the date the refusal notice is received by you. For time limits for making a request, see further paragraphs 6 and 7 below.

Administrative Review is a non-statutory scheme, i.e. there is no legislation setting out what it covers or who is eligible to apply. The policy is contained in this guidance.

2. What if the Administrative Review request refers to matters outside the scope of the Administrative Review?

Where this occurs the matters should be dealt with under the normal complaints procedure. In such cases you will be advised in writing.

3. Who conducts the Administrative Review?

An Entry Clearance Manager (ECM) will conduct the administrative review. This may mean that in some cases, an Entry Clearance Manager from another Post will conduct the Administrative Review. You may receive the result of the Administrative Review from an entry clearance post that is different to the one that considered the original entry clearance application.

4. Who can apply for Administrative Review?

Anyone refused entry clearance under PBS, where they believe the Entry Clearance Officer has made an incorrect decision.

If you have new or further information, documents or other paperwork that you failed to submit with their original application, you will need to make a new application and pay the appropriate fee.

5. How long will the Administrative Review take?

The administrative reviewer will complete their review and notify you in writing of their decision within 28 days from the date of receipt of the Administrative Review request notice.

If, in exceptional circumstances, the administrative reviewer is unable to complete the Administrative Review within the 28 days, they will notify you in writing as to when to expect a decision.

6. What will the administrative reviewer look at?

The administrative reviewer will examine the evidence submitted with the original application, copies of which will be kept at the refusal post.

You are not allowed to provide new evidence. Any new evidence must be disregarded unless you were refused under paragraph 320 (7A) or 320 (7B) of the Immigration Rules on General Grounds for Refusal (see paragraph 12).

Any new evidence submitted by you must be returned to them together with the outcome of the Administrative Review.

7. How are Administrative Review decisions made?

The administrative reviewer should focus on the areas which you have asked to be reviewed. They will check that:

- points have been correctly awarded;
- documents have been correctly assessed; and
- verification checks have been properly carried out.

The administrative reviewer may recommend that the reason for refusal should be overturned, if they find that the Entry Clearance Officer:

- failed to properly consider evidence submitted with the original application;
- failed to apply the Immigration Rules correctly;
- made a mistake in processing the application;
- failed to give adequate reasons for refusing entry clearance. In this case, the administrative reviewer will recommend the ECO revoke the original refusal and serve a new refusal notice giving a full explanation for the refusal.

Where the administrative reviewer recommends in line with the above, that the reasons for refusal should be revoked, you may still be refused but with new grounds for refusal.

The administrative reviewer will not recommend that the original decision is overturned simply because you claim there is a fault with United Kingdom Home Office's underlying processes or policies.

8. Does Administrative Review cover General Grounds for Refusal?

Yes. Administrative Review will also look at refusals on the basis of paragraph 320 of the Immigration Rules on "General Grounds for Refusal."

Reviews of refusals made under paragraphs 320(7A) and 320(7B) of the Immigration Rules

You may submit further information with the Administrative Review request, if the refusal is based on paragraph 320 (7A) or 320 (7B) of the Immigration Rules on General Grounds for Refusal.

If an application has been refused because a false document was used or a false representation was made, you may claim that you were unaware of the false documents or false representations. The refusal will still stand but you would have to prove that they did not know that false documents or false representations were used, if you are not to have any future applications automatically refused for 10 years. Where the documents related directly to

you (e.g. employment references, qualifications or financial details), such a claim would be likely to fail unless you have clear evidence that an error has been made (e.g. written confirmation from an employer, financial institution or educational establishment that they had supplied us with incorrect information at the time we verified the original documentation).

If the administrative reviewer does accept that you did not knowingly use false documents or false representations, the refusal will still stand, but you will not automatically have any future applications refused under the Rules (paragraph 320 (7B)) where false documents or false representations were used.

9. Does Administrative Review cover verification?

Yes. As part of the Administrative Review process the administrative reviewer will ensure that the Entry Clearance Officer has followed the correct verification procedures.

10. What are the possible outcomes of Administrative Review?

There are three possible outcomes of Administrative Review:

- Uphold decision, reasons for refusal remain the same;
- Uphold decision, with revised reasons for refusal.
- Overturn decision and issue entry clearance;

11. How are you informed of the result of the Administrative Review?

Decision upheld and the reasons for refusal remain the same:

- the administrative reviewer will notify you by letter. You will not be entitled to a further Administrative Review as the grounds for refusal have not changed.

Decision upheld but with revised reasons for refusal:

- A new refusal notice (GV51) will be served along with the Administrative Review letter from the administrative reviewer stating why the refusal has still been upheld. If there are fresh reasons for refusal which were not notified originally, you will be able to submit a further Administrative Review request limited to those fresh reasons.

Decision overturned and entry clearance to issue:

- The administrative reviewer will notify you by letter and request your passport.

12. Limited Right of Appeal

You can only appeal on any or all of the grounds referred to in section 84 (1)(b) and (c) of the Nationality, Immigration and Asylum Act 2002. These are that the decision is unlawful by virtue of section 29 of the Equality Act 2010, and/or that the decision is unlawful under section 6 of the Human Rights Act 1998 (public authority not to act contrary to Human Rights Convention) as being incompatible with the appellant's Convention rights.

If you apply for entry clearance under the Points-Based System and you are refused you will be limited to residual grounds of appeal stated above.

The process for dealing with limited rights of appeal remains unchanged.

Annex D - Exemption from the Doctor or Dentist in Training Restriction

1. All grants of leave under Tier 5 (Youth Mobility Scheme) are subject to a restriction prohibiting employment as a 'Doctor or Dentist in training'. The only exception to this is where you can demonstrate that you have obtained a degree in medicine or dentistry from a UK institution that is a UK recognised or listed body, or which holds a sponsor licence under Tier 4.

2. In order to qualify for this exemption you **must** provide the following evidence:

i) Original certificate of award of the qualification. This document must be the original (not a copy) and must clearly show the:

- your name;
- title of the award;
- date of the award; and
- name of the awarding institution.

We will not accept original provisional certificates.

The original certificate of award must always be provided unless you are awaiting graduation having successfully completed their degree or you no longer have the certificate and the institution who issued the certificate is unable to produce a replacement. In which case you should send:

ii) An original academic reference from the institution that is awarding the degree together with an original academic transcript.

If you are awaiting graduation but have successfully completed your degree or no longer have the certificate and the awarding institution is unable to issue a replacement, you should send an original academic reference from the institution that is awarding the degree together with an original academic transcript.

The academic reference from the institution awarding the degree must be on the official headed paper of the institution and clearly show:

- your name;
- title of award;
- date of award, confirming that it has been/will be awarded; and
- either the date that the certificate will be issued (if you have not yet graduated) or confirmation that the institution is unable to re-issue the original certificate or award.

The academic transcript must be on the institution's official paper and must show:

- your name;
- name of the academic institution;
- course title; and
- confirmation of the award.