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National Health Service in Scotland  
Management Executive

St. Andrew's House  
Edinburgh EH1 3DG

Dear Colleague

**CONSULTATION ON PROPOSALS CONCERNING THE  
CONTROL OF THE IMMIGRATION STATUS OF  
OVERSEAS DOCTORS AND DENTISTS  
UNDERTAKING POSTGRADUATE TRAINING IN THE  
UK**

**Summary**

1. The interim arrangements described in the above consultation document (relevant paragraphs are shown in the attached Annex) are to be extended for the time being pending final decisions on the responses to the consultation exercise.

**Background**

2. A consultation document was issued on 12 October 1993 asking for views on proposals concerning the control of the immigration status of overseas doctors and dentists undertaking postgraduate training in the UK. The consultation exercise is now complete. The interim arrangements described in the consultation document are to be extended until final changes can be introduced.

**Action**

- 3. Employers should continue to operate the interim arrangements operating in the attached Annex.
- 4. This letter should be copied to Unit General Managers for action.

*Yours sincerely  
A J Matheson*

A J MATHESON  
Director of Manpower

5 May 1994

**Addressees**

For action:

General Managers,  
Health Boards

Chief Executives NHS  
Trusts

For information:

Postgraduate Deans and  
Directors

Executive Director,  
SCPMDE

General Manager  
Common Services Agency

General Manager State  
Hospital

General Manager, HEBS

To be copied to Unit  
General Managers for  
action

**Enquiries to:**

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COMMON SERVICES AGENCY	
RECEIVED - 5 MAY 1994	
FILE No.	
REFERRED TO	ACTION TAKEN

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**Extract of relevant paragraphs from consultation document**

**Interim arrangements**

15. During the consultation period on these proposals, the following interim arrangements will apply:

- (a) the Home Office will, with immediate effect, consider applications for exceptional extensions of leave to remain from any doctor or dentist completing the four year permit-free period, and wishing to obtain an extension for continued training;
- (b) in line with (a) above, any applications for new work permits for training grade posts made to the Department of Employment will be passed to the Home office;
- (c) pending the outcome of this consultation, where a work permit for a training grade post expires before 31 December 1993, either:
  - (i) the **employee** will be able to apply to the Home Office for consideration of further leave to remain, exceptionally, in permit free training; or
  - (ii) the **employer** may apply for an exceptional extension of the work permit, generally for a maximum of 12 months.

16. In the case of 15(a) and (c)(i) above, the applications should be supported by comments from the postgraduate dean, with reference to the criteria set out at paragraph 12(i)-(iv) (**see below**).

17. Where such applications satisfy all the relevant criteria, including educational need, the Home Office may grant exceptional leave to remain for up to a maximum of 12 months.

18. If the criteria are not satisfied, the application will be normally be refused, as required by the Immigration Rules. The Home Office will, however, carefully consider all the relevant circumstances of any case, with a view to assessing whether a short extension may be granted to enable the applicant to make alternative arrangements.

12. To assist the Home Office in determining applications, they would look to the deans for confirmation on such aspects of the case as:

- (i) whether the applicant is engaged in training leading to a specific goal;
- (ii) whether the applicant has made reasonable progress in training so far;
- (iii) how much longer the training will take; and
- (iv) whether the applicant has a reasonable chance of successfully achieving the specific training goal.