

Those with Section 67 leave, and children

In order to qualify for 'home' fees under this category, all of the following criteria (a) to (c) must be met:

(a) you must be *ordinarily resident* in the *UK* on *the first day of the first academic year of the course*

(b) on the first day of the academic year you are paying fees for, you must fit 1 or 2:

1. a person with Section 67 of the Immigration Act 2016 leave to remain (for a limited period, or an indefinite period); and:
 - you have been ordinarily resident in the *UK and Islands* throughout the period since being given your Section 67 leave to remain

2. the *child* of a person with Section 67 leave to remain. You must have been their child at the time they made the immigration application that resulted in their Section 67 leave to remain, and under 18 on that date; and
 - you must have been ordinarily resident in the *UK and Islands* throughout the period since being given your own leave to enter or remain

(c) you must be ordinarily resident in the UK and Islands on the *first day of the academic year* you are paying fees for

Expiry date for Section 67 leave

The leave to remain might have an expiry date. If the person makes an application to extend or change their leave before it expires, and that application is not decided before the expiry date, then immigration law dictates that they carry on being treated as a person with Section 67 leave while they wait for a decision to be made (and if their application is refused, then also while they wait for an appeal or administrative review of the decision). They count as a 'person with Section 67 of the Immigration Act 2016 leave to remain' for fee assessment purposes during all of that time.

Official name for the category

In the regulations, the category you qualify under is the one called 'Protected persons and their family members'. It also covers people with humanitarian protection, stateless leave, Calais leave, and leave under the Afghan Schemes, but we talk about those groups separately in our information, to make things simpler.

Don't get confused between this category and other ones that have the word 'protected' in them – the word crops up in lots of other categories too, like the ones for 'Persons granted leave to remain as a protected partner and their children', and 'persons with protected rights'.

Becoming eligible

If you are, or if your parent is, granted Section 67 leave after the start of the course, you will be entitled to 'home' fees from the start of the next academic year, if you meet the requirements above.

Changes to this category

This category changed on 28 January 2021, to remove any requirement for three years' residence before the start of the course.