

Brexit temporary offer for courses starting before 2028: Irish citizens with residence in Europe or overseas territories

Background: This category did not appear in early versions of this guide, because it was not created until 11 August 2021 (by the Department for Education, in its Education (Student Fees, Awards and Support) (Amendment) (No.2) Regulations 2021). The category is available for any academic year that starts on or after 1 August 2021, where the fees are being charged on or after 1 September 2021.

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

(a) on the *first day of the academic year* you are paying fees for, you must be an Irish citizen

(b) you were *ordinarily resident* at 10.59pm on 31 December 2020 in either:

- the **EEA** (this does not include the UK) / Switzerland / the **EU** overseas territories (see the Note below for what is meant by 'the EU overseas territories', they do not include Gibraltar);

or

- the UK – but this will only be acceptable if:
 - your period of ordinary residence in the UK started after 31 December 2017; and
 - it immediately followed a period of ordinary residence in the **EEA** (this does not include the UK) / Switzerland / the **EU** overseas territories (see the Note below for what is meant by 'the EU overseas territories', they do not include Gibraltar)

Note: Here the '**EU** overseas territories' means Aruba, Faroe Islands, French Polynesia, French Southern and Antarctic Territories, Mayotte, Greenland, Netherlands Antilles (Bonaire, Curacao, Saba, Sint Eustatius, Sint Maarten), St Barthelemy, St Pierre et Miquelon, the Territory of New Caledonia and Dependencies, and Wallis and Futuna.

(c) you were ordinarily resident in the **UK / EEA / Switzerland / EU overseas territories (these do not include Gibraltar) throughout the period from 11pm on 31 December 2020 until the *first day of the first academic year of the course***

(d) you meet a three-year residence test. You will meet the test if:

- you have been ordinarily resident in the [UK](#) / [EEA](#) / Switzerland / [overseas territories](#) (these do include Gibraltar this time) for the full three-year period before the [first day of the first academic year of the course](#); and
- the main purpose for your residence in the UK/EEA/Switzerland/overseas territories residence area must not have been to receive full-time education during any part of that three-year period

Tip: if you were in full-time education at some point during the three years, then ask yourself: If I had not been in education, where would I have been? If the answer is that you would have been somewhere in the large area that consists of the UK/EEA/Switzerland/overseas territories anyway, then you meet this 'main purpose' test.

(e) you must undertake the course in the UK