

Brexit temporary offer for courses starting before 2028: UK nationals and family with residence in Europe or overseas territories

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

(a) on the *first day of the academic year* you are paying fees for, you must be either:

(i) a *UK national*; or

(ii) a family member of a person who is a *UK national*

For this category, 'family member' means:

- *spouse* or *civil partner* of the UK national
- *direct descendant* of the UK national, or of the UK national's spouse or civil partner, who is:
 - under 21 years old; or
 - 21 or over and a *dependant* of the UK national, or of the UK national's spouse or civil partner

(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)

Important: If you are using this category as the family member of a UK national, then all of (b) will need to be true for the UK national as well as for you.

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](#)

Important: If you are using this category as the family member of a UK national, then (c) will need to be true for the UK national as well as for you.

(d) a three-year residence test is met. There are two alternative ways of meeting it, you can choose either (i) or (ii) below:

(i) You meet the three-year residence test yourself. You will meet the test yourself 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.

Note: A person who makes a late application to the EU Settlement Scheme (EUSS) will have any period of residence in the UK and Islands between missing the deadline for the EUSS and making their EUSS application treated as lawful residence, even if it was unlawful. This means the residence can count as 'ordinary residence'.

or

(ii) You are the family member of a UK national, and the UK national meets the three-year residence test. For this to be acceptable:

- the UK national that you are a family member of must have exercised a right of residence in a European Union country other than the UK before 11pm on 31 December 2020. The right of residence can have been as a worker, a self-sufficient person, a student, or as a family member accompanying one of these types of people; and
- the UK national that you are a family member of must 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](#)

(e) you must undertake the course in the UK

(f) if you are using this category as the family member of a UK national, there is one extra requirement:

- the UK national must 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*