

## Those granted stateless leave, and family

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 or 3:**

1. a person with leave to remain as a stateless person under the immigration rules; and:
  - you have been ordinarily resident in the *UK and Islands* throughout the period since being given your leave to remain as a stateless person
  
2. the *spouse* or *civil partner* of someone who has leave to remain as a stateless person; and:
  - you were the spouse or civil partner of that person on the date on which they made the immigration application that resulted in their stateless leave; and
  - you have been ordinarily resident in the *UK and Islands* throughout the period since being given your own leave to enter or remain
  
3. the *child* of either:
  - a person with leave to remain as a stateless person. You must have been their child at the time they made the immigration application that resulted in their stateless leave, and under 18 on that date; or
  - the spouse or civil partner of someone who has leave to remain as a stateless person. At the time when the person with stateless leave made the immigration application that resulted in their stateless leave:
    - they must have been the spouse or civil partner; and
    - you must have been the child of the spouse or civil partner; and
    - you must have been under 18

And in the case of both the two large bullet points above, you (the child) 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 leave to remain as a stateless person**

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 leave to remain as a stateless person 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 leave to remain as a stateless person' 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, section 67 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 (or your parent's spouse / civil partner) is, or if your own spouse / civil partner is, granted stateless 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.