

Those granted stateless leave, and family

(use this category only if the academic year you are paying fees for starts on or after 1 August 2024)

The requirements for this category were different in academic years that started before 1 August 2024. So if you started before 1 August 2024, it is important you also look at the category titled 'Those granted stateless leave, and family (use this category only if the academic year you are paying fees for starts before 1 August 2024)'.

In order to qualify for 'home' fees under this category, both criteria (a) and (b) must be met:

(a) you must be *ordinarily resident* in the *UK* on the day on which the first term of the first academic year actually begins (note this is a different date from the *first day of the first academic year of the course*)

Note: Usually you do not count as 'ordinarily resident' in a place unless your residence there is lawful. However, the regulations make a special adjustment to that for requirement (a) in this category. They say that if you (or your parent, spouse or civil partner) became a 'person granted stateless leave' after the day on which the first term of the first academic year actually began, you get special treatment. The special treatment means you are treated as though your residence was lawful, even if it was unlawful. The residence can therefore count as 'ordinary residence' for the purpose of requirement (a).

(b) on the *first day of the academic year you are paying fees for* (unless you are being assessed for the first academic year of your course, in which case use instead the day on which the first term of the first academic year actually begins), you must be:

1. a "person granted stateless leave", which means a person who has:

- extant leave to remain as a stateless person under the immigration rules; and
- been ordinarily resident in the UK and Islands throughout the period since being given stateless leave

or

2. a person who is the *spouse / civil partner* of a "person granted stateless leave" (defined above) and who:

- on the date the "person granted stateless leave" first applied for stateless leave in the UK, was the spouse / civil partner of that person

or

3. a person who is the *child* of a "person granted stateless leave", or the child of the spouse / civil partner of a "person granted stateless leave", and on the date the "person granted stateless leave" first applied for stateless leave in the UK was under 18 and:

- the child of a "person granted stateless leave" or
- the child of a person who, on that date, was the spouse / civil partner of the "person granted stateless leave"

Note: Once you have qualified for this category for one year of your course, requirement (b) is less strict for later years of your course. So for later years of your course, it is acceptable if the "person granted stateless leave" loses their stateless leave, as long as they have some kind of leave to remain (or British or Irish citizenship) on the first day of whatever academic year you are paying fees for. This is a special adjustment to requirement (b) that the regulations make. It is available for academic years that start on or after 1 August 2024.

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.

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.