

Brexit protected rights: Child of worker

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

(a) on the *first day of the academic year* you are paying fees for, you must be a 'person with protected rights'

Read about who counts as a '*person with protected rights*' on the Definitions page (it does include people who have pre-settled status or settled status under the EU Settlement Scheme, as well as others).

(b) on the *first day of the academic year* you are paying fees for, two requirements must be met:

(i) you must be the child of either:

- an *EEA* national (Swiss nationality isn't enough); or
- a *relevant person of Northern Ireland* ('RPNI')

But it does not matter if you are now over 21 and are no longer dependent on the EEA national or RPNI.

and

(ii) your EEA national or RPNI parent must be someone who has been employed (not self-employed) in the UK, and at some point in time you must have lived in the UK as the child of that person whilst she/he was employed here. You should usually have started studying in the UK (not necessarily this course) while under the age of 21 or while still dependent on that person, and at a level lower than higher education. It does not matter if your EEA national or RPNI parent is not employed now, or is no longer in the UK.

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

(d) you must have been *ordinarily resident* in the *UK / EEA / Switzerland / overseas territories* (these include Gibraltar) for the full three-year period before the *first day of the first academic year of the course*

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'.