

## Those with leave as a bereaved partner, and children

This category is only for academic years that start on/after 1 August 2021.

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:**

1. a person with leave to enter or remain (for a limited period, or an indefinite period) as a bereaved partner, under any of the following provisions of the Immigration Rules: Appendix Bereaved Partner paragraph BP 11.1; paragraphs 287(b) and 288; Appendix FM paragraphs D-BPILR 1.1 or D-BPILR 1.2; Appendix Armed Forces paragraphs 36 or 37; paragraphs 295M and 295N; and:
  - you have been ordinarily resident in *the UK and Islands* throughout the period since being given your leave as a bereaved partner
  
2. the *child* of a person with leave to enter or remain as a bereaved partner (under any of the following provisions of the Immigration Rules: Appendix Bereaved Partner paragraph BP 11.1; paragraphs 287(b) and 288; Appendix FM paragraphs D-BPILR 1.1 or D-BPILR 1.2; Appendix Armed Forces paragraphs 36 or 37; paragraphs 295M and 295N). You must have been their child at the time they made the immigration application that resulted in their leave as a bereaved partner, and under 18 on that date; and
  - you 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 as a bereaved partner**

The leave as a bereaved partner 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 as a bereaved partner 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 enter or remain as a bereaved partner' 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 'Persons granted leave to enter or remain as a protected partner and their children'. It also covers people with leave to enter or remain as a victim of domestic violence or domestic abuse, but we talk about that group 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 'Protected persons and their family members', and 'persons with protected rights'.

## **Becoming eligible**

If you are, or if your parent is, granted leave as a bereaved partner 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.