

Those granted humanitarian protection, and family

(use this category only if the academic year you are paying fees for starts before 1 August 2023)

The requirements for this category will become a little more generous on 1 August 2023, so look at the category titled 'Those granted humanitarian protection, and family (use this category only if the academic year you are paying fees for starts on or after 1 August 2023)' too, for information about fees for academic years that start on or after 1 August 2023.

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 *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 be:

1. a "person granted humanitarian protection", which means a person:

- who has been granted leave to remain in the UK under the Immigration Rules, on the grounds of 'humanitarian protection'; and
- whose leave to remain is 'extant', or in respect of whose leave to remain an appeal is pending; and
- who has been ordinarily resident in the *UK and Islands* throughout the period since being granted their humanitarian protection;

or

2. the *spouse* or *civil partner* of a "person granted humanitarian protection" (as above), and you:

- were the spouse or civil partner of that person on the date on which they applied for asylum; and
- you have been ordinarily resident in the UK and Islands throughout the period since being given your leave to enter or remain [but ignore this last bullet point for academic years starting before 1 August 2021]

or

3. the *child* of a "person granted humanitarian protection" (as above), or a child of that person's spouse or civil partner, and:

- at the time the person granted humanitarian protection applied for asylum, you must have been under 18 years old and the child of that person or of someone who was the spouse or civil partner of that person on that date; and
- you must have been ordinarily resident in the UK and Islands throughout the period since being given your leave to enter or remain [but ignore this last bullet point for academic years starting before 1 August 2021]

There is no three-year residence test for this category

The Government attempted to introduce one in 2019 but then quickly changed its mind. If your fee assessor tells you that a three-year residence test applies in this category, show them this page and ask them to contact UKCISA for further information.

Expiry date for leave on grounds of humanitarian protection

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 on the grounds of humanitarian protection 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 on the grounds of humanitarian protection' 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 humanitarian protection 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 of this category or the category titled 'Those granted humanitarian protection, and family (use this category only if the academic year you are paying fees for starts on or after 1 August 2023)'.