

Persons granted leave under the Ukraine Schemes, and family (use this category only if the academic year you are paying fees for starts on or after 1 August 2023)

The requirements for this category were different in academic years that started before 1 August 2023. So if you started before 1 August 2023, it is important you also look at the category titled 'Persons granted leave under the Ukraine Schemes (use this category only if the academic year you are paying fees for starts on any date in the period 1 August 2022 to 31 July 2023).'

You can use this category for all the academic years that start on or after 1 August 2023, even if you paid 'overseas' fees for an earlier year of the same course.

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 leave under one of the Ukraine Schemes' 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 the day on which the first term of the first academic year actually begins), you must be:

1. a "person granted leave under the Ukraine Schemes", which means a person:

- who has any of these six types of leave (if they fit one, you can ignore the other five entirely):

- i. leave to remain granted under the immigration rules for the Ukraine Extension Scheme
- ii. leave to enter or leave to remain granted under the immigration rules for the Ukraine Family Scheme
- iii. leave to enter or leave to remain granted under the Ukraine Family Scheme, but outside the immigration rules. If it is type of leave iii, these two bullet points must also both be true:
 - the person was residing in Ukraine immediately before 1 January 2022; and
 - the person left Ukraine in connection with the Russian invasion
- iv. leave to enter or leave to remain granted under the immigration rules for the Homes for Ukraine Sponsorship Scheme
- v. leave to enter or leave to remain granted under the Homes for Ukraine Sponsorship Scheme, but outside the immigration rules. If it is type of leave v, these two bullet points must also both be true:
 - the person was residing in Ukraine immediately before 1 January 2022; and
 - the person left Ukraine in connection with the Russian invasion
- vi. leave to remain granted under the Ukraine Permission Extension Scheme

and

- who has been *ordinarily resident* in the *UK and Islands* since they were granted such leave.

There is a section further down the page titled 'What date does Ukraine Scheme leave start?', which explains when leave is granted.

or

2. the *spouse* or *civil partner* of a “person granted leave under the Ukraine Schemes” (look above the definition). You must have been their spouse or civil partner at the time they made the application that resulted in them being given their leave, and:

- you must have been *ordinarily resident* in the *UK and Islands* throughout the period since you were granted leave to enter or remain; and
- you must be ordinarily resident in the UK and Islands.

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 this second bullet

point of requirement (b)2 in this category. They say that if you are being assessed for the first academic year of your course, and your spouse or civil partner became a 'person granted leave under one of the Ukraine Schemes' 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 this second bullet point.

or

3. the *child* of either:

- a “person granted leave under the Ukraine Schemes” (look above for the definition). You must have been their child at the time they made the application that resulted in them being given their leave, and under 18 on that date; or
- the *spouse* or *civil partner* of a “person granted leave under the Ukraine Schemes” (look above for the definition). At the time when the “person granted leave under the Ukraine Schemes” made the application that resulted in them being given their 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.

You (the child) must also:

- have been *ordinarily resident* in the *UK and Islands* throughout the period since you were granted leave to enter or remain; and
- be ordinarily resident in the UK and Islands.

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 this fourth bullet point of requirement (b)3 in this category. They say that if you are being assessed for the first academic year of your course, and your parent became a 'person granted leave under one of the Ukraine Schemes' 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 this fourth bullet point.

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 leave under the Ukraine Schemes" loses their Ukraine Scheme 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.

The special arrangements

The 'special arrangements' that were applied to academic years that started before 1 August 2023 (and which are described in the category titled 'Persons granted leave under the Ukraine Schemes (use this category only if the academic year you are paying fees for starts on any date in the period 1 August 2022 to 31 July 2023)') are gone.

If you are already on a course where you relied on the 'special arrangements' to make you a 'home' fee payer for the period August 2022 to July 2023, but you do not meet the requirements described above, ask your institution if they will carry on charging you 'home' fees because of their own policy.

What date does Ukraine Scheme leave start?

Note that if you were issued with 'entry clearance' or a 'letter from the Home Office confirming you could travel to the UK under the Ukraine Scheme', then immigration law dictates that your leave did not start (and was not granted) until the date you actually arrived in the UK. In other words, your leave did not start (and was not granted) on the date you were issued with the entry clearance or letter.

Remember to notice that some of the requirements refer to the day on which the first term of the first academic year actually begins, whilst others refer to the first day of the academic year. These two dates are different from each other. The **first day of the academic year** does not mean the date that you actually start the year, instead it means a standard date set out in regulations (for example, for every person who starts a year on any date that falls between 1 August and 31 December inclusive, the standard date that counts as the 'first day of the academic year' is 1 September).

Expiry date for the leave (immigration permission)

The leave (immigration permission) 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 that type of leave 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 that leave for fee assessment purposes during all of that time.

Ukraine Permission Extension Scheme

This is a type of immigration permission that is being introduced in 2025. It is being included in the list of types of 'leave under the Ukraine Schemes' in preparation for that.

Becoming eligible

If one of the six types of leave is granted 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.