

## Persons with leave under the Afghan Schemes, 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 'Persons granted leave under the Afghan 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 2024)'.

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

(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 or 3:

1. a "person with leave under the Afghan Schemes", which means a person who has any of these four types of leave (if you fit one, you can ignore the other three entirely):

- i. indefinite leave to enter or indefinite leave to remain in the UK, outside the immigration rules, on the basis of the Afghan Citizens Resettlement Scheme
- ii. indefinite leave to enter or indefinite leave to remain granted to you under the immigration rules for the Afghan Relocations and Assistance Policy because of your own work in Afghanistan (not the work of a partner or parent). Note that leave on the basis of the Afghanistan Locally Employed Ex-Gratia Scheme does not count for this (but see the section below headed "If a biometric residence permit shows ALES" for an important warning)
- iii. indefinite leave to enter or indefinite leave to remain in the UK granted to you before 30 November 2022 under the immigration rules for the Afghan Relocations and Assistance Policy or the Afghanistan Locally Employed Staff Ex-Gratia Scheme (it does not matter whether the leave was granted to you as the primary person, or as a partner or child, as long as it was granted under the immigration rules for one of those two schemes)
- iv. leave to enter / indefinite leave to enter / indefinite leave to remain in the UK, outside the immigration rules, on the basis of the Afghan Relocations and Assistance Policy Scheme. Note that leave on the basis of the Afghanistan Locally Employed Ex-Gratia Scheme does not count for this (but see the section below headed "If a biometric residence permit shows ALES" for an important warning)

2. the *spouse* or *civil partner* of a "person with leave under the Afghan Schemes" (look above for the definition); and:

- you were the spouse or civil partner of that person on the date on which they made the immigration application that resulted in their leave under the Afghan Schemes

3. the *child* of either:

- a "person with leave under the Afghan Schemes" (look above for the definition). You must have been their child at the time they made the immigration application that resulted in their leave under the Afghan Schemes, and under 18 on that date; or
- the spouse or civil partner of someone who has leave under the Afghan Schemes. At the time when the person with leave under the Afghan Schemes made the immigration application that resulted in their leave under the Afghan Schemes:
  - 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

(c) you must have been *ordinarily resident* in the *UK and Islands* throughout the period since you were granted your leave

(d) you must be *ordinarily resident* in the *UK and Islands* on the first day of the academic year you are paying fees for

## If a biometric residence permit shows 'ALES'

The letters 'ALES' are used on the biometric residence permits of two different groups of people:

1. People granted leave on the basis of the Afghan Relocations and Assistance Policy Scheme
2. People granted leave on the basis of the Afghanistan Locally Employed Staff Ex-Gratia Scheme

The Home Office confirmed this to UKCISA.

So if you have leave on the basis of the Afghan Relocations and Assistance Policy Scheme, do not just show your biometric residence permit. Show a letter or other document from a UK government department (for example, the Ministry of Defence or the Home Office) that mentions both the 'Afghan Relocations and Assistance Policy Scheme' (or 'ARAP') and your name. This will act as confirmation that the leave was granted on the basis of that scheme.

Make sure you emphasise to the fee assessor from the beginning that the leave was issued on the basis of the Afghan Relocations and Assistance Policy Scheme and **not** the Afghanistan Locally Employed Staff Ex-Gratia Scheme. You might want to send them a link to this paragraph, too.

## **Expiry date for your 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.

## **Becoming eligible**

If one of the four 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.