

Refugees, 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 it is important you look at the category titled 'Refugees, and family (use this category only if the academic year you are paying fees for starts before 1 August 2023)' too, if you started before 1 August 2023.

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 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) is recognised by the UK Government as a refugee 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 instead the day on which the first term of the first academic year actually begins) you must be:

- a refugee recognised by the UK Government; or
- the *spouse* or *civil partner* of such a refugee and you must have been the spouse or civil partner of that person on the date on which their asylum application was made; or
- the *child* of such a refugee or of a refugee's spouse or civil partner and at the time the refugee made the asylum application you must have been the under-18-year-old child of the refugee or of the refugee's spouse or civil partner

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 refugee loses their refugee status, 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.

(c) you have not ceased to be ordinarily resident in the *UK and Islands*:

- since you were recognised as a refugee; or
- if you are a spouse / civil partner, or child, of a refugee, since you were given leave to remain in the UK

Expiry date for refugee permission to stay

The refugee permission to stay 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 refugee 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 'refugee recognised by the UK Government' for fee assessment purposes during all of that time.

Becoming eligible

If you are, or if your parent or spouse or civil partner is, recognised as a refugee 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.

Refugee Status: where someone gains British citizenship

For academic years that start on or after 1 August 2024, there is no need to worry if the person with refugee status gains British citizenship. The note under requirement (b) explains why this is not a problem.