

Definition of an overseas student for the purposes of University Composition Fees

(Taken directly from The Statutes and Ordinances of the University of Cambridge, 2001)

A. The following are *excluded* from the category of overseas student:

- (a) a student who on 1 September, 1 January, or 1 April closest to the beginning of the first term of the student's course is settled in the United Kingdom within the meaning of the Immigration Act 1971¹, and has been ordinarily resident in the United Kingdom and Islands² throughout the three-year period preceding that date, provided that the student has not been resident therein, during any part of that three-year period, wholly or mainly for the purpose of receiving full-time education;
- (b) a student who is a national of a member state of the European Union, or who is the son or daughter of such a national, and has been ordinarily resident in the European Economic Area³ throughout the three-year period referred to in paragraph (a), provided that the student has not been resident therein, during any part of that three-year period, wholly or mainly for the purpose of receiving full-time education;
- (c) a student who is an EEA migrant worker⁴ or who is the spouse, son, or daughter of an EEA migrant worker, and has been ordinarily resident within the European Economic Area throughout the three-year period referred to in paragraph (a), provided that the student has not been resident therein, during any part of that three-year period, wholly or mainly for the purpose of receiving full-time education;
- (d) a student who would qualify under paragraph (a), (b), or (c) but for the fact that the student or the student's spouse, parent, or guardian was temporarily employed outside the United Kingdom and Islands, or outside the European Economic Area, as the case may be, and who for that reason alone has not been ordinarily resident there throughout the three-year period;
- (e) a student who is a refugee ordinarily resident in the United Kingdom and Islands, or who has been granted special leave to enter or remain there, and has not ceased to be ordinarily resident there since he or she was recognised as a refugee or was granted special leave to enter or remain, or is the spouse, son, or daughter of such a person;
- (f) a student who is settled in the United Kingdom within the meaning of the Immigration Act 1971 on the date specified in paragraph (a), subject to that date being before 1 September 2000, and neither had the right of abode in the United Kingdom nor was settled therein at or before the beginning of the three-year period referred to in that paragraph, and who at any time during that period was ordinarily resident in Hong Kong (i.e. a recently settled person from Hong Kong commencing a course not later than the Easter Term 2000);
- (g) any student who was admitted to his or her course in pursuance of arrangements with an institution outside the United Kingdom for the exchange of students on a fully reciprocal basis.

B. All other students are *included* for the purpose of fees in the category of overseas students for the duration of their course.

1. Settlement is defined in the Immigration Act as being ordinarily resident in the United Kingdom without being subject under the immigration laws to any restriction on the period for which the person in question may stay.
2. The Channel Islands and the Isle of Man.
3. The European Union together with Iceland, Liechtenstein, and Norway.
4. Further information about the definition of an EEA migrant worker in the context of the Education (Fees and Awards) Regulations may be obtained from the University Registry. In order to acquire the right as a migrant worker to be excluded from the category of overseas student, a student must have been employed in the United Kingdom since last entering the United Kingdom; the subject matter of the student's course must be related to the student's activity as an employed person. If the student is the spouse, son, or daughter of a migrant worker, he or she must have been resident in the United Kingdom as a direct consequence of the spouse's or parent's employment in the United Kingdom.