No Recourse to Public Funds (NRPF)



The BN(O) visa contains the "no recourse to public funds" (NRPF) condition, which means that BN(O) visa holders are unable to

access benefits considered 'public funds', such as access income-related welfare benefits including Universal Credit, social housing allocation from the local authority or local authority homelessness assistance.

These benefits are listed at paragraph 6 of the Immigration Rules and in the Home Office guidance on public funds. The full list is also available on NRPF Network website - Benefits that are not public funds | NRPF (nrpfnetwork.org.uk).

Can I get the NRPF removed?

You can apply for a change to your NRPF conditions and get access to public funds, only if:

• You're destitute or at risk of destitution

• There are particularly compelling reasons relating to the welfare of your child on account of your very low income

• There are exceptional circumstances in your case relating to your financial circumstances

What does it mean to be destitute?

You are destitute if:

• You do not have adequate accommodation or any means of obtaining it (whether or not your other essential living needs are met)

• You have adequate accommodation or the means of obtaining it, but cannot meet your other essential living needs

• You are at risk of destitution if either or both of the above are imminent

Is there help available?

If you are unsure whether you meet criteria the above criteria, you can contact Kirklees Citizens Advice and Law Centre (KCALC) HKSS - Hong Kong Settlement Scheme - Kirklees Citizens Advice & Law Centre (kcalc.org.uk), which provide free bilingual immigration advice for Hong Kong BN(O)s residing in the Yorkshire and Humber region, and they will make an assessment. Click here to learn more.

What is the process to change the condition of my visa?

If you are found to meet the criteria for removal of the NRPF condition, KCALC can help you to prepare and submit a Change of Condition application and will support you throughout the

process until you receive a decision from the Home Office.

To make the request for an amendment to the conditions of your leave, you must:

• Complete a Change of Condition (CoC) application online

• Provide your passport and the proof of your immigration status

• Provide documentary evidence that you meet the policy granting recourse to public funds

• You will need to explain what your current financial circumstances are, how these may have changed, and how you're currently maintaining yourself

While the change of condition application is pending, you can receive support with housing and living costs from their local authority (council). Please contact HK@migrationyorkshire.org.uk for more details on how to access legal advice and local authority support in your area.

How long do I have to wait for a decision?

There are no service standards apply to the assessment of whether the applicant qualifies for a change of condition code, but caseworkers will make reasonable efforts to decide such requests promptly, especially those involving a child or an

applicant who is street homeless, disabled or otherwise in vulnerable circumstances.

Applications submitted in our region this year have taken between 1 to 5 months to be decided.

Are there any implication of applying for the change of conditions?

No. If your request for removal of the NRPF is successful, your conditions of stay will be amended to allow you to receive public funds for the duration of your BN(O) visa.

Applying to remove the NRPF condition and consequently claiming financial assistance will not impact your ability to apply for settlement through the BN(O) route after 5 years of living in the UK.

If your request is not successful, you will be explain the reasons for it. So far, all applications assessed by KCALC as meeting the criteria for removal of the NRPF conditions, have been successful, therefore it is important that you are assessed before attempting to submit the application yourself.

Can I get any help if I am not destitute, but I am still struggling financially?

If you are not eligible to apply for the change of condition, you can still access some financial assistance, which is not classed as public funds, as long as you meet the qualifying requirements.

If you have previously worked and/or paid National Insurance contributions, you might be eligible for non means-tested benefits, which include:

- Statutory Maternity Pay (if you are working and get pregnant; this is paid through your employer)

- Statutory Sickness Pay (if you are employed but are unable to work due to health reasons; this is paid through your employer)

- Paternity Pay (paid time off because your partner is having a baby)

- New Style Jobseeker's Allowance (if you are unemployed and looking for a job)

- New Style Employment and Support Allowance (if you are unable to work due to health condition and not eligible for

Statutory Sick Pay)

- Guardian's Allowance (if you are looking after a child who is not your own)

- Maternity Allowance (if you are pregnant and not eligible for statutory Maternity Pay)

If you have children in school, you might also be eligible for Free School Meals. Check our BN(O) Visa Route page for more details on eligibility.

Further information on what is not classed as public funds are available on NRPF Network website - Benefits that are not public funds | NRPF (nrpfnetwork.org.uk).

Drop-in Session on NRPF

Financial support options for BN(O) visa holders - 7 June 2023

This session was for Hong Kong BN(O) visa holders living in the Yorkshire and Humber region wanting to get better understanding of what the NRPF condition means in practice and learn more about what financial support options are available.

Watch the video: Part 1 Part 2

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