Frequently asked questions for employers and landlords

Understanding rights of Hong Kong BN(O) visa holders

What is a Hong Kong BN(O) visa?

The Hong Kong British National (Overseas) Visa is a scheme open to Hongkongers who have British National status and their dependent family members. The scheme opened on 31 January 2021.

People with BN(O) status can apply for the visa prior to coming to the UK or they can apply within the UK. The visa can be granted for a period of 30 months or 5 years.

How do I know if someone has a Hong Kong BN(O) visa?

There are two main types of documentation that proves someone has a BN(O) visa, depending on the application process:

- a digital status (same as EU nationals), or
- a biometric residence permit or card (see an example below).

RESIDENCE PERMIT
RZ:
NAME
VALID UNTIL
31-12-2024
PLACE AND DATE OF ISSUE
UK 08-04-2021
RESIDENCE
LEAVE TO REMAIN
REMARKS
WORK AND STUDY
PERMITTED

DATE AND PLACE OF BIRTH
HONG KONG
SEX
M
NATIONALITY
HKG
REMARKS
NO PUBLIC FUNDS
DEC24
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What rights come with the BN(O) visa?

Holders of a BN(O) visa have the right to work, rent and study in the UK. They do not have access to public funds, meaning they cannot claim welfare benefit or homelessness and housing assistance, but they can apply to remove the condition preventing access to public funds, should they be at risk of destitution.

How do I check the right to work of a BN(O) visa holder?

From 6 April 2022, employers can check BN(O) visa holder's right-to-work only by checking immigration status online. Employers can no longer accept physical documents for the purposes of a right to work check, even if they show a later expiry date. Visa holders can prove their right-to-work by generating a share code needed for online verification or show biometric residence permit or card. Following the online check, employers can download a PDF document (see example of a right-to-work check here) which can be retained as evidence.

How do I check the right to rent of a BN(O) visa holder?

Landlords should carry out a right-to-rent check as they would normally. Please note that from 6 April 2022, landlords are no longer able to accept physical documents for the purposes of a

right to rent check, even if they show a later expiry date. Visa holders and applicants can prove their right-to-rent online through generating a share code, which can then be used by a landlord to view status online.

Who can I contact with questions related to the right to work or rent of a BN(O) visa holder?

You can contact Home Office helpline for employers and landlords by phone on 0300 790 6268.

Can a BN(O) visa holder work without National Insurance Number (NINo)?

Yes, those who don't yet have a NINo can undertake employment providing they can show they have the right to work.

How do I check the rights of those awaiting decision on their BN(O) visa?

The UK government temporarily allowed Hong Kong BNOs to enter the UK and seek Leave Outside the Rules (LOTR) at the border, enabling them to live, work and study in the UK for 6 months, while they apply for the BN(O) visa. LOTR is given as a stamp in the passport (click here to see an example photo of a LOTR stamp on a passport page) and it is valid while the BN(O) visa application is being processed as long as the application had been made before LOTR expired.

If the application is outstanding beyond the original date indicated on the stamp, you can contact the Home Office via the Employer Checking Service to receive a **Positive Verification Notice** confirming that the applicant has the right to work for another 6 months.

However, some BN(O) visa applicants and their dependents may have initially come to the UK on another visa route such as a Family, Visitor, and Skilled worker or Student. They might, or might not, have the right to work, whilst awaiting a decision on a BN(O) visa. This will be dependent on the conditions of their existing visa.

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