# BN(O) Visa Route

## British National (Overseas) Visa Route

This section explains what British National (Overseas) visa, known as BN(O) visa is, the application process and rights that come with it, how to prove those rights to access services,

settlements requirements and other information relevant to those on the BN(O) visa route.

BN(O) visa enables Hongkongers holding BN(O) status and their dependent family members to come and stay in the UK. For more info about the context, conditions, and requirements of the BN(O) visa, read British National (Overseas) visa: Overview - GOV.UK (www.gov.uk).

# Application process

**How you can apply for the BN(O) visa.**

## Where can I find more info about a BN(O) visa??

For more info about the BN(O) visa, including eligibility and process, please check the BN(O) leaflet. For queries regarding your visa, contact UK Visa and Immigration (UKVI) contact centre on 0300 790 6268.

## How can I apply for a BN(O) visa??

If you're from Hong Kong and hold BN(O) status, you can apply for a BN(O) visa from the UK, if you haven’t already. If you're currently in the UK on a different UK visa, you can apply to switch to a BN(O) visa, if you meet the criteria.

Your family members can also apply for a BN(O) visa if they're eligible.

## How is my BN(O) application considered??

Home Office guidance for caseworkers provides more information on how the Home Office process your BN(O) application.

## How can I apply for a BN(O) visa for a child born in the UK??

The process is the same as normal – apply for a BN(O) visa and the application has to be made within 3 months of the child's birth. If a child doesn't have a passport, the application can be made using child's birth certificate.

## As a BN(O) dependent, do I need to apply for a BN(O) visa at the same time as my sponsor??

Partners, dependent children under 18 and Adult Dependent Relatives can apply at the same time as the BN(O) status holder and their partner or apply to join them at a later date.

Grandchildren of the BN(O) status holder or their partner must apply at the same time and form part of the same household as the BN(O) status holder.

The adult child of a BN(O) status holder should apply independently of their BN(O) parent.

Adult children of the partner of a BN(O) status holder and their dependent partners and children are also eligible to apply. They

must apply at the same time as the BN(O) status holder and form part of the same household.

As a BN(O) dependent, do I need to travel to the UK at the same time as my sponsor??

No, you can choose to travel to the UK separately.

Can my mum apply for a BN(O) visa as a dependent on me if she is in Hong Kong and I am in the UK?

> Yes. As a dependent, your mom is no longer required to apply at the same time with you who has made a valid application of entry clearance or permission to stay or is both a British citizen and a BNO status holder. She can apply on a later date as a Dependent Adult Dependent Relative.

What can I do if I wait for a decision on my visa for over 6 months??

You can contact your local member of Parliament (MP) via this link Find your MP - MPs and Lords - UK Parliament and ask them to contact the Home Office on your behalf. Make sure you put your address in the email, as MPs can only support individuals living in their constituencies.

You can make a formal complaint to the UK Visas and Immigration about the length of time it takes for your application to be processed. This is an online form via this link Complaints procedure - UK Visas and Immigration - GOV.UK (www.gov.uk). The Home Office have service standards for completing applications which includes specified timescales for processing.

If you make a complaint, it will not affect the outcome of your application.

## What rights do I have with Leave Outside of the Rules (LOTR) granted at the border??

LOTR allows you to work, study and rent a property but not access the NHS free of charge. You need a private health insurance to cover the costs of healthcare if you arrived in the UK before your BN(O) visa has been granted.

## What rights do I have if my LOTR expired, and I am still waiting for a decision on my visa??

If an application for BN(O) visa had been submitted before LOTR expired, LOTR remains valid beyond the date on the stamp and the rights you have with LOTR continue until the decision on your visa is made. This is called 3C leave, you can read more about it at 3C and 3D leave. (publishing.service.gov.uk)

## Do I need to 'activate' my BN(O) visa if I applied for it outside of the UK and travelled to the UK while the visa application was still outstanding??

You should wait for a decision on your application before you travel to the UK. However, if you travelled with the application in process and received a positive decision while in the UK, the Home Office doesn't ask anyone to 'activate' their BN(O) visa and that the UKVI will be in touch with a visa holder if anything needs to be done in the future. They will be communicating via the email address provided with the application so please make sure to keep this up-to-day. You can update your email address

and any other contact details via this link Update your UK Visas and Immigration account details - GOV.UK (www.gov.uk)

I hold a Biometric Residence Permit (BRP) but it expired on 31 December 2024, what should I do now?

UK Visas and Immigration (UKVI) are replacing physical documents with an online record of your immigration status. This is known as an eVisa. Anyone who uses a physical immigration document, like a Biometric Residence Permit (BRP), to prove their immigration status and who don't already have a UKVI account, will need to take action now to create a UKVI account to access their eVisa.

Updating your physical document to an eVisa does not affect your immigration status or the conditions of your permission to enter or stay in the UK. Click here to learn more.

# Rights with BN(O) visa

**Your rights as a BN(O) visa holder.**

What rights do I have with a BN(O) visa??

A BN(O) visa allows the holder to work, study, rent a property and access the NHS.

A BN(O) visa has a no recourse to public funds (NRPF) condition attached to it, which means that a visa holder cannot access benefits or any other support classed as public funds, such as Child Benefit, Universal Credit or Personal Independent Payment (PIP).

However, if the visa holder is struggling to cover the costs of housing and living (if they become destitute or are at ‘imminent risk of destitution’), they can get the NRPF condition removed

from their visa by applying for a change of conditions of leave. Such an application requires access to OISC-regulated legal advice and is not covered by a free legal aid.

While the change of condition application is pending, a BN(O) visa holder 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 support in your area.

## Can I work in any job with a BN(O) visa?

Not quite, you can work in any job except as a professional sportsperson or sports coach. If you are unsure if a job role you are considering falls within a definition of a professional sportsperson or sports coach, you should seek immigration advice as this might affect your application for settlement.

In our region, free immigration advice for Hong Kong BNOs is available through Kirklees Citizens Advice and Law Centre HKSS - Hong Kong Settlement Scheme - Kirklees Citizens Advice & Law Centre (kcalc.org.uk).

## What if I have financial difficulties living in the UK? Can I claim benefits?

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 like Universal Credit, social housing allocation from the local authority or local authority

homelessness assistance. However, there are some contributory benefits you could access if you paid enough National Insurance (NINo) contribution, such as Maternity Allowance, New Style Jobseekers Allowance (JSA) or New Style Employment and Support Allowance (ESA). In some circumstances, you can apply to remove NRPF condition and get access to public funds. Learn more about NRPF and help available when you face financial difficulties here: Other helpful tips

## What support is not classed as public fund?

There are some benefits that are not classed as public funds for immigration purposes. Generally, those are non means-tested benefits and are available to those who previously worked and/or paid National Insurance contributions.

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

## How can I prove my rights as a BN(O) visa holder to employers and landlords??

From 6 April 2022, you can evidence your right to work / rent using a share code only. Employers / landlords are no longer able to accept physical documents for the purposes of a right to work / rent check even if they show a later expiry date. You can:

- Prove your right to work
- Prove your right to rent

## How can I prove my rights as a BN(O) visa holder to banks and other services??

If you have a BN(O) visa in a physical form (biometric residence permit) you have to use that to prove your rights to access services, such as banking or NHS. You can generate a share code only to prove your right to work and rent.

If you applied via an app on the phone, you have a full digital status and generating a share code is the only way to prove your rights to access services. You can do it visa this link Prove your immigration status and choose an appropriate service.

A bank or other service can then use this share code to verify your immigration status via this link Check immigration status.

## Can I generate a share code if I have a BN(O) visa in a form of Biometric Residence Permit (BRP)??

**NOTE: The UK government is moving from physical documents to eVisa, and all Biometric Residence Permits (BRPs) expired on 31 December 2024. BN(O) visa holders who hold a BRP should create a UKVI account and switch to eVisa as soon as possible. Click here to earn more.**

Yes, you can still generate a share code, but only for limited purposes. If you have a BN(O) visa in a physical form (BRP), you are only able to generate a share code to prove your right to work and rent. To do that, you need your biometric residence permit/card number. You can prove right to work via this link Prove your right to work to an employer and right to rent via this

link Prove your right to rent in England. Currently, it is not possible to generate a share code for any other purpose, so you still have to use your BRP to prove your rights to access other services, such as banks, DVLA or the NHS.

## How long is a share code valid for??

A share code is valid for 90 days and it can be used multiply times during this period. However, a share code generated to prove right to work can only be used to check right to work and the same allies to right to rent.

- W – for right to work
- R – for right to rent
- S – for anything else

Therefore, a share code generated to prove right to work can only be used to check right to work and the same allies to right to rent and other purposes.

## What if I have difficulties generating a share code?

If you have problems with your digital visa or generating a share code, you should contact UK Visas and Immigration (UKVI) on 0300 790 6268 (select option 3) in the first instance.

If the issue continues, and you need to prove right to work or right to rent in the meantime, you can ask your employer or landlord to use alternative methods of checking your immigration status:

- Right to work – Employer's Checking Service
- Right to rent – Landlord's checking service

You can direct employer and/or landlords to Frequently asked questions for employers and landlords, about the rights of Hong Kong BN(O) visa holders, which explain how landlords and employers can verify your right to rent and work in the UK, including while you are still waiting for the outcome of your applications.

## Can I use a different passport to the one on my digital status when travelling?

If you plan to travel using a different passport than the one you applied for the BN(O) visa with, you need to log into your UKVI account and add this new passport via an Update My Details request through the link below:

https://www.gov.uk/update-uk-visas-immigration-account-details

Otherwise, you might have difficulties returning to the UK or it is very likely your passport will be stamped, as the BN(O) visa would not show on the border control's system.

## Can I access free childcare as a BN(O) visa holder??

A child of a BN(O) visa holder is entitled to 15 hours per week of free childcare only. This applies to children who are age 3 to 4 years old only and is accessible from the term after the child's 3rd birthday (September, January or April). A local childcare

provider or local council can be contacted for more information.

While some parents can access 30-hour free childcare for their children, the NRPF condition prevents BN(O) visa holders from applying for additional hours.

Is my child eligible for Free School Meals??

This depends on the age of the child and your circumstances.

Reception to Year 2 – Free school meals are provided universally to all children who are in reception to year 2. Children can receive these regardless of their, or their parent's, immigration status.

Year 3 or above – Some councils may provide free school meals universally for children in all primary school years, so the local policy should be checked in the first instance. Search for a council's policy.

When a council does not universally provide free school meals to children in school year 3 or above, then free school meals are usually only available to children who meet government eligibility criteria.

From 19 April 2022, Free School Meals (FSM) have been permanently extended to all families affected by No recourse to public funds (NRPF), including BN(O) passport and visa holders, subject to a maximum capital saving threshold of £16,000 and income thresholds as follows:

- £22,700 per annum for families outside London with 1 child.
- £31,200 per annum for families within London with 1 child.
- £26,300 per annum for families outside London with 2 or more children.
- £34,800 per annum for families within London with 2 or more children.

## Does BN(O) visa give me rights to be classed as home student when applying for university?

In England and Wales, BN(O) visa holders are classed as international students and are not currently eligible to apply for student finance. Full eligibility for student finance can be found at Student finance for undergraduates: Eligibility

## Do I need to make a new application for the route if I have a BN(O) visa as a dependent and I want to sponsor my family members?

Adult children of a BN(O) status holder who are covered by the policy change and who are applying to the route will be able to sponsor their spouse/partner and children under the age of 18 as well as other family members who have a high level of dependency and who usually live with them.

Applicants who already hold permission on the BN(O) Household Member Route can continue to use their current permission to reside in the UK and do not need to submit a new application.

Their eligible family members including their spouse and children under-18 can apply to the BN(O) routet to join the adult child of the BN(O) status holder, without them needing to submit a new application after 30 November.

## Extension of a BN(O) Visa

**How, when, and where you should extend your BN(O) visa.**

How do I apply for an extension of my BN(O)??

All information about extending your BN(O) visa can be found at British National (Overseas) visa: Extend your visa - GOV.UK (www.gov.uk)

For queries regarding your visa, contact UK Visa and Immigration (UKVI) contact centre on 0300 790 6268.

## When do I apply for an extension of my BN(O)??

You must apply before your existing visa expires but do not apply earlier than 28 days before the visa expiry date. This is to make sure you have lived in the UK for 5 years continuously when you apply to settle.

Your new visa will start on the date it is granted. It will not include any time remaining on your previous visa.

There is no limit to the number of times you can extend your BNO visa.

## What happens if my BN(O) visa expires before I get a decision on the extension??

If an application for a new BN(O) visa had been submitted before your previous BN(O) visa expired, the rights you have with a BN(O) visa continue until the decision on your new visa is made. This is called 3C leave, you can read more about it at 3C and 3D leave. (publishing.service.gov.uk).

## How can I prove my rights while I am waiting for a decision on the extension of my BN(O) visa??

If you have a digital visa, you would be able to generate a share code as normal.

If you have a biometric residence permit, you will not be able to generate a share code to prove your right to work and rent, but rather you would need to prove right to work or right to rent another way – by asking your employer or landlord to use alternative methods of checking your immigration status, as per guidance for employers and landlords:

- Right to work – Employer's Checking Service
- Right to rent – Landlord's checking service

You can also direct employer and/or landlords to our Frequently asked questions for employers and landlords, about the rights of Hong Kong BN(O) visa holders, which explain how landlords and employers can verify your right to rent and work in the UK, including while you are still waiting for the outcome of your applications.

To prove your rights to access other services, you'd need to show your previous biometrics and a confirmation that you applied for a BN(O) visa extension before the previous visa had expired.

## Can I travel while I am waiting for a decision on the extension of my BN(O) visa??

You must not travel outside of the UK, Channel Islands or Isle of Man until you get a decision.

## What if I apply for a BN(O) visa too early and there is an overlap?

If you were previously granted permission to stay on the BN(O) route and you are applying for a further 30-months, the length of permission of your previous visa is manually added up to a maximum of 28 days. This will ensure you can meet the five years of continuous residence requirement at the ned of the second permission providing they apply for settlement no more than 28 days before their second visa expires.

Unfortunately, if you apply for an extension earlier than 28 days before the visa expiry date, the new visa starts on the date of the application and there is an overlap between your old and new visa, you will not be able to prove that you have lived in the UK for 5 years continuously when you apply to settle. You will need to extend your visa to meet the requirements for settlement/Indefinite Leave to Remain (ILR).

## I haven't entered the UK with my BN(O) visa after it had been granted. My visa will be expiring soon, can I extend it from outside the UK?

An applicant applying for permission to stay must be in the UK. Another option is to make a new application outside the UK.

## What if I forget / fail to extend my BN(O) visa before it expires?

If you are in the UK and you failed to extend your visa before it expires, this is called overstaying. Overstaying is an offence.

The Home Office can refuse your application if you:

- overstayed for longer than 14 days - even if you had a good reason
- overstayed without a good reason

## What if I don’t have money to apply for a BN(O) visa extension?

You can apply for a fee waiver for the application fee and/or IHS if you are applying to extend their permission on the BN(O) route for 30 months.

However, you must demonstrate that you are in receipt of public funds having previously successfully applied for a removal of the NRPF condition (through a change of conditions (CoC) application), and that you have to show you don’t have enough income and savings to pay for both the fee and essential costs like food and rent. You’ll need to send documents showing that you are in receipt of public funds (for example Universal Credit) and your income and spending for the last 6 months, for example your:

- pay slips
- bank statements for all your accounts
- tenancy agreement
- utility bills

You can apply for a fee waiver on GOV.UK.

# Settlement

**Your rights of settlement as a BN(O) visa holder.**

**Please click here to read more Q&As about ILR application.**

**You can also check out the FAQ prepared by the Home Office.**

Are there any guidance on the requirements for settlement applications for BN(O) visa holders?

https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-hong-kong-british-national-overseas

## How do I apply for settlement on the BN(O) visa route?

Applications for settlement are made online at British National (Overseas) visa: Settle in the UK - GOV.UK

• You will be asked to provide personal information, details of your residence in the UK and any absences, evidence that you have passed the 'life in the UK' test and meet the English language requirement, and information about your BN(O) status holder sponsor if relevant to your application. You will be required to upload digital copies of the required documents as part of your application.

• You must pay the application fee.

• You must then verify your identity. How you do this will depend on the passport you hold.

## Where can I find the application form?

You can either use the SET(O) form (https://visas-immigration.service.gov.uk/product/set-o), or the online form which enables identity check via UK Immigration: ID Check app ( https://www.gov.uk/british-national-overseas-bno-visa/settle-in-the-uk)

# Other questions

**Other questions related to the BN(O) visa.**

Can I apply for a BN(O) passport after I was granted a BN(O) visa??

Only BN(O) status holders can apply for a BN(O) passport. If you were granted a BN(O) visa as a dependent and are not BN(O) status holder, you are not able to apply for a BN(O) passport as having a BN(O) visa does not give you any additional rights.

## Can I apply for a refund of the NHS health surcharge??

Sometimes you can apply for a refund of the NHS surcharge. For example, BN(O)visa holders working in health and social care might be eligible to apply for a refund of their and their family members' NHS health surcharge. More info on the eligibility and process of applying for reimbursement of the NHS surcharge is available on the government's website.

You can also apply for a refund if you apply to switch to the BN(O) route from another visa but there is still time remaining on their current visa. A refund of any overlapping period of permission which exceeds six months in length. The IHS is both charged and refunded in six-month blocks, as such if there is 1 year and 2 months remaining on an existing visa, the applicant would be eligible to receive a refund of IHS for 1 year.

## I received the BN(O) visa and immigration health surcharge (HIS) reference number. What should I do with the IHS reference number???

You don't have to do anything with it except save it for future reference as it will have been added into your application automatically when you paid for it.

## I understand that the BN(O) visa gives me the right to work in the UK, but I am a bit confused when employers ask me about my nationality is.

Your nationality is British National (Overseas) even though it is actually the visa that gives you the right to work in the UK.

# Drop-in session on BN(O) visa route

ILR Application Webinar - 6 March 2026

The Hong Kong hub was joined by Kirklees Citizen's Advice and Law Centre (KCALC) again to discuss the requirements and process for applying for Indefinite Leave to Remain (ILR) with BN(O) visa. The immigration lawyer from KCALC went through the legal requirements and the practicalities of how BN(O) visa holders can make applications.

ILR Application on BN(O) Visa Route - 20 March 2025

The Hong Kong hub was joined by Kirklees Citizen's Advice and Law Centre (KCALC) to discuss the requirements and process for applying for Indefinite Leave to Remain (ILR) with BN(O) visa. The immigration lawyer from KCALC went through the legal requirements and the practicalities of how BN(O) visa holders can make applications.

ETA and eVisa for BN(O) visa holders - 6 January 2025

This drop-in session provided an overview of the changes related to ETA and eVisa and gave some clarity on the processes for, and their impact on, the BN(O) visa holders.

You can find the presentation slides from the drop-in session on ETA and eVisa for BN(O) visa holders here: Drop-in session on ETA and eVisa for BN(O)

BN(O) visa extention - 20 September 2023

The Hong Kong hub was joined by Kirklees Citizen's Advice and Law Centre (KCALC) to discuss the requirements and process for applying for an extension of an existing BN(O) visa. KCALC will go through the legal requirements and the practicalities of how BN(O) visa holders can make applications.

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.

BN(O) visa - 19 January 2022

This event explained rights that come with a BN(O) visa, including conditions attached, how to prove rights to access different services, maintaining visa and applying for settlement. It also covered new relationships and children born in the UK.

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