

FACTSHEET: THE BNO VISA ROUTE

**SMITH
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ABOUT THIS GUIDE

On 31 January 2021, the UK opened a new, bespoke immigration route for British Nationals (Overseas) and their dependants who are ordinarily resident in Hong Kong.

The BNO visa grants successful applicants the right to live, work and study in the UK for up to five years.

After five years, BNO visa holders will be able to apply for settlement in the UK, and then apply for British citizenship following a further period of 12 months' settlement.

This guide provides an overview of the BNO visa route and the application process, and addresses some frequently asked questions.

WHO CAN APPLY?

Citizens holding BNO status and members of their household, will be eligible to apply for the BNO visa. Applicants and their dependants must also:

- Be ordinarily resident in Hong Kong, the UK, or the Crown Dependencies
- Be able to accommodate and support themselves in the UK for at least six months
- Demonstrate a commitment to learning English in the UK where appropriate
- Hold a current tuberculosis test from a Home Office approved clinic
- Have no serious criminal convictions or other grounds for refusal under the UK Immigration Rules

Dependant grandparents or other relatives may not be eligible unless they hold BNO status in their own right.

THE APPLICATION PROCESS

Applications are submitted via a digital online process, meaning applications can be made from Hong Kong, the UK or elsewhere. In most cases, applicants do not need to send in physical documents or attend an interview.



Biometric data is required for all applications. BNOs are able to provide facial biometrics digitally and do not need to provide fingerprints. However, dependants who do not hold BNO status themselves will be required to provide fingerprints.

Applicants do not need to apply for or hold a valid BNO passport in order to apply for a BNO visa. However, valid or expired BNO passports should be kept and referenced within the application to evidence BNO status.

APPLYING WITH YOUR FAMILY

If you are applying as a family unit, you must apply together. Dependant family members usually cannot apply once the main BNO applicant has received a decision on their application.

The main applicant who is a BNO citizen should apply first and obtain their unique reference number. Accompanying family members will then need to use this reference number in their application, and submit it within two days. The whole family's applications will be processed together.

If you start a new relationship when you have a valid BNO visa, your partner can apply using your reference number. You can also make an application for your child if they were born after you received your BNO visa.

PROCESSING TIMES

Once you have applied online, proved your identity and provided your supporting documents, you should receive a decision within 12 weeks. You will be contacted if your application will take longer due to missing information or documents, or if you need to attend an interview.

I AM ALREADY IN THE UK...

BNO citizens already in the UK on another form of leave can apply to switch onto a BNO visa from 31 January 2020, if they meet the requirements.

If your UK visa or six month visit expired between 1 July 2020 and 31 January 2021, you can still apply for a BNO visa if you meet the requirements, but you must apply by 31 March 2021.

HOW MUCH DOES IT COST?

You are required to pay certain immigration fees when applying for a BNO visa and if you later decide to apply for settlement and British citizenship.

- **Visa application fee** – The application fee for a BNO visa is £180 for 30 months (2 ½ years) or £250 for 5 years
- **Immigration Health Surcharge** – The fee migrants must pay to access healthcare in the UK. From 27 October 2020, this is £624 per person per year, or £470 for students and under 18s
- **Settlement** – The cost to apply for settlement in the UK is currently £2,389 plus a £19.20 biometric enrolment fee
- **Citizenship** – Nationality registration as a British citizen currently costs £1,330 for adults (which includes the £80 citizenship ceremony fee) and £1,012 for children

SETTLEMENT AND CITIZENSHIP

If you have lived in the UK on a BNO visa for five years or more, you may be able to apply to for settlement, otherwise known as Indefinite Leave to Remain (ILR).

To apply for settlement, you must:

- Have spent no more than 180 days outside the UK in any 12 month period in the last five years
- Meet the English language requirements
- Pass the Life in the UK test
- Pay the application fee

After 12 months of living in the UK with settled status, you will be able to apply for British citizenship.

For more information on applying for a BNO visa, please contact Smith Stone Walters.

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