

Biometric Residence Permit (BRP) rollout to overseas applicants

Guidance for departments/institutions

What is changing?

Between March 2015 and July 2015, UK Visas and Immigration intends to phase out the issuing of visas inside passports for those individuals applying from outside the UK. Instead, all non-EEA nationals applying from overseas for permission to stay in the UK for more than six months will be issued a Biometric Residence Permit (BRP) which they must collect within ten days of their arrival in the UK. The BRP will be the sole form of evidence of the leave granted and as such will replace the current visa that is put in a passport.

For those individuals applying to extend or switch their visa inside the UK, the existing process whereby the BRP is posted to the individual at their home address will continue - there will be no requirement to collect their BRP from the Post Office.

When is it changing?

The issuing of BRPs for individuals applying from overseas will be rolled out in phases and by country:

Phase	Date	Affected Countries			
1	18 th March 2015	<ul style="list-style-type: none"> • Pakistan only 			
2	Mid-April 2015 (estimated)	<table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Armenia • Bangladesh • Bhutan • Burma • Cambodia • China • Cyprus • Denmark • Estonia • Finland • Germany </td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Gibraltar • Iceland • India • Indonesia • Italy • Laos • Libya • Maldives • Malta • Nepal • Netherlands </td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • North Korea • Norway • Portugal • Republic of Ireland • Spain • Sri Lanka • Sweden • Thailand • Vietnam </td> </tr> </table> <p>(Please note: EEA countries are listed, as non-EEA nationals who are <u>resident</u> in EEA countries can apply in that country for a UK visa)</p>	<ul style="list-style-type: none"> • Armenia • Bangladesh • Bhutan • Burma • Cambodia • China • Cyprus • Denmark • Estonia • Finland • Germany 	<ul style="list-style-type: none"> • Gibraltar • Iceland • India • Indonesia • Italy • Laos • Libya • Maldives • Malta • Nepal • Netherlands 	<ul style="list-style-type: none"> • North Korea • Norway • Portugal • Republic of Ireland • Spain • Sri Lanka • Sweden • Thailand • Vietnam
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3	31 May 2015	<table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Afghanistan • Ascension Island • Australia • Bahamas • Bahrain • Barbados • Bermuda • Brunei • Canada • Cayman Islands • Dominican Republic • Egypt </td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Falkland Islands • Fiji • Guyana • Iran • Jamaica • Japan • Malaysia • Mongolia • New Zealand • Nigeria • Oman • Papua New Guinea </td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Philippines • Qatar • St Helena • St Lucia • Singapore • South Korea • Taiwan • Trinidad & Tobago • United Arab Emirates • United States of America • Yemen </td> </tr> </table>	<ul style="list-style-type: none"> • Afghanistan • Ascension Island • Australia • Bahamas • Bahrain • Barbados • Bermuda • Brunei • Canada • Cayman Islands • Dominican Republic • Egypt 	<ul style="list-style-type: none"> • Falkland Islands • Fiji • Guyana • Iran • Jamaica • Japan • Malaysia • Mongolia • New Zealand • Nigeria • Oman • Papua New Guinea 	<ul style="list-style-type: none"> • Philippines • Qatar • St Helena • St Lucia • Singapore • South Korea • Taiwan • Trinidad & Tobago • United Arab Emirates • United States of America • Yemen
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4	31 July 2015	<ul style="list-style-type: none"> • Rest of the World 			

Why is this changing?

EU Regulations require that EU Member States granting leave to non-EEA nationals for more than six months must provide the individual with a BRP. This change brings the UK in line with these regulations.

Which visas are affected?

Any visa that is issued for **more** than 6 months. Therefore, most types of visitors (except those coming for up to 12 months as an eligible academic) will not be issued a BRP and will still receive a visa inside their passport.

What is the new process?

The new process will remain largely unchanged from the current process and the applicant will still need to apply for a visa in the usual way through the relevant overseas embassy. However, instead of the individual being issued a visa 'sticker' inside their passport, which confirms their grant of leave in the UK, their passport or travel document will be endorsed with a 30 day short validity (travel) vignette. This will be valid for 30 days from the expected date of travel provided by the applicant and will enable them to travel to and enter the UK. They will then be required to collect their BRP.

Can the short-term vignette be used as proof of right to work in the UK?

The Home Office has confirmed that the 30 day short-term vignette will be acceptable as proof of right to work in the UK. However, in order to continue working beyond the expiry of the short-term vignette, the individual must collect their BRP and present this to the department.

Where the vignette has been accepted, the HR Compliance Team will record this on the CHRIS system and then monitor the expiry date. Within two weeks of the vignette expiring, and where the BRP has not been received, the Compliance Team will chase the department to ensure the individual has collected their BRP. It will not be possible to employ the individual beyond the expiry date on the vignette.

What happens if the individual fails to travel within the 30 day period?

Any applicant who does not travel to the UK within the 30-day period of their vignette must apply to the Entry Clearance Officer for a replacement short-term visa to enable them to travel to the UK.

How will individuals collect their BRP once inside the UK?

As part of the visa application process, the applicant will be required to provide their intended date of travel, a UK address and post code. The UK post code submitted as part of the application process will be used to identify the branch of the Post Office to which the BRP will be sent for collection by the applicant. Help will be provided as part of the application process to guide the applicant in selecting the most appropriate Post Office collection branch.

If the visa application is successful, as well as receiving the 30 day short-term travel vignette, the individual will also be issued with a letter which notifies them that they must collect their BRP from the designated Post Office branch within 10 days of arrival in the UK. Once the individual has arrived in the UK it will be possible for them to request that their BRP be transferred to a different Post Office for collection. However, this will incur a charge and will delay the collection of the BRP.

Will the individual be able to change the location of collection to another Post Office?

Yes. However the individual will need to contact the Post Office directly and will have to pay a fee to the Post Office. Further details are not known at this stage.

What happens if the BRP is not collected within the required 10 working days?

If an individual fails to collect their BRP it will be returned to the Home Office by the Post Office and the individual may be subject to sanctions such as a financial penalty or cancellation of leave. The Post Office will retain the BRP for a maximum of 60 days before it is returned to the Home Office.

This is an administrative process to facilitate anyone who does fail to collect within 10 days, and places themselves at risk of being non-compliant.

Why can the BRP not be issued abroad?

The Home Office have stated that it would be cost prohibitive for each Embassy to issue the BRP independently and there would be a large degree of inconvenience to the applicant:

“The individual would be unable to travel before they had received their BRP; the specialist security printing could not be done in Embassies across the world; and the cost of secure courier delivery from the UK to each applicant would be prohibitively expensive. This would result in a dramatic increase to the visa fees.”