



Global Immigration alert

November 2024

United Kingdom

Further updates regarding online immigration status of Biometric Residence Permit (BRP) holders

Executive summary

On 31 October 2024, UK Visas and Immigration (UKVI) updated its [guidance](#) regarding online immigration status (eVisas) to reflect that Biometric Residence Permits (BRPs) are no longer being issued. The same guidance has also been updated to provide further clarifications to BRP holders including how they will be able to prove their status effective 1 January 2025.

Background

On 30 October 2023, UKVI informed they were developing a digital immigration system (i.e., eVisas) which would replace physical documents with online records of applicants' immigration status. Individuals have until the end of 2024 to create a UKVI account, before their BRP expires, and must continue to carry their physical documents when traveling abroad until 31 December 2024. Effective 1 January 2025, they will be able to use an eVisa to travel to the UK and they will not need to carry any physical document except their passport, which must be linked to their UKVI account. Replacing physical documents with an eVisa will not affect individuals' immigration status or the conditions of their permission to enter or stay.

On 6 August 2024, all BRP holders became eligible to submit an application to obtain an e-Visa. Once their UKVI account is created, individuals can view the details of their eVisa online, including the type of permission, when it expires and conditions of stay in the UK. To access an eVisa, individuals must have obtained permission to stay in the UK in England, Northern Ireland (not the Channel Islands or Isle of Man), Scotland or Wales and the permission must be valid for more than six months.

Key developments

UKVI recently announced and confirmed the following:

- ▶ The UKVI suspended the issuance of BRP cards effective 31 October 2024. From this date, the grant letter issued to successful applicants will confirm that they will receive an eVisa, along with instructions on how to [set up access to an eVisa](#) and how to link their travel document to their eVisa for international travel.
- ▶ eVisas will be linked to individuals' passports, and they must keep their passport numbers up to date in their UKVI account, so that their status can be easily identified at the UK border (travelers will still be required to carry their physical passports). Individuals may be delayed or denied boarding by carriers if their personal details are not correct or up to date.
- ▶ Individuals can no longer request a new or replacement card. They will need to set up access to an eVisa instead and report to the authorities if their BRP is [lost or stolen](#). They can use a travel document (e.g., passport) and a visa application reference number to create a UKVI account if the BRP card has been lost or stolen. Those who were granted permission to enter or stay in the UK before 31 October 2024 and issued a BRP, but no longer have that BRP or another identity document such as a valid passport, will be able to create a UKVI account themselves. For those who were granted permission to stay in the UK after 31 October 2024 but do not have a valid passport, UKVI will create an account on their behalf. Relevant applicants will be notified by email or letter with instructions on how to access their UKVI account.

- ▶ UKVI also published a new online form to [report an error](#) if individuals' personal details (i.e., name, sponsor reference, photo, National Insurance number, visa conditions, immigration status and validity details) reflected on the eVisa are inaccurate. This form can also be used if a UKVI account was set up by the Home Office, but they used an email address or phone number that the individual does not have access to. UKVI aims to respond within 10 working days to either confirm correction of the relevant details or ask for more information.
- ▶ A [new UKVI guidance webpage](#) has been published, which sets out the recommended actions overseas nationals with an eVisa must take before they travel outside the UK. Individuals may review their immigration status on the "[View and Prove service](#)" before traveling internationally and use the "[update your UKVI account details](#)" service (if required) to ensure that their personal details are correct and that the passport they will travel with is linked to their account. If an individual has obtained a new passport and is waiting for confirmation regarding an update to their UKVI account, they may also provide their old passport at the border (along with the new passport) to avoid unnecessary delays.
- ▶ When individuals are returning from overseas, they must check that the passenger information provided to the carrier matches the details on their passport or immigration permission. It is the individual's responsibility to check the entry, exit and transit requirements of other countries, and they may be asked to show evidence of their UK immigration status to authorities overseas in an appropriate format (e.g., a share code from the View and Prove service, a relevant screenshot from their UKVI account, a physical document).
- ▶ Dual citizens who hold nationalities other than British or Irish must add the passport they use to travel to their account. British or Irish citizens who hold dual nationality, or individuals with the right of abode, must show the carrier (e.g., airline, rail company, other transport provider) either a British or Irish passport or another passport containing a certificate of entitlement to the right of abode.
- ▶ Those who are outside the UK and cannot access the eVisa portal will be able to [recover access to their UKVI account](#). If the immigration status is displaying incorrectly, they must report the error. In case they are unable to recover their UKVI account while they are overseas but have a valid physical document that shows their permission to travel, they may be able to present this document as evidence of their immigration status to the carrier. However, if they have no other evidence of permission to travel, they may consider applying for a temporary visa, which will allow them to re-enter the UK only once.
- ▶ Individuals who are outside the UK and need to add a new or different passport to their UKVI account will be able to proceed with this update if their personal details have not changed. However, in case their personal details (i.e., name, nationality, date of birth, sex) have changed, they will not be able to use the "update your UKVI account details" service to add their new passport from outside the UK. As a result, they may experience delays or complications with their travel back to the UK if they use their new passport for travel. Alternatively, they may consider applying for a temporary visa instead. Once they are inside the UK, they will be able to use the "update your UKVI account details" service to add their new passport to their UKVI account and update their personal details.
- ▶ Individuals, including children, must have their own UKVI account. Where a child under the age of 18 is unable to create and manage their own account, a [parent or guardian](#) may do this for them. To create a UKVI account for a child, the parent or guardian will need the child's identity document and date of birth. The adult can use their own contact details, such as their phone number and email address. When the child is able to manage their UKVI account themselves, or when they reach 18 years of age, their account can be transferred to them. The adult or child can do this by updating the phone number and email address using the "[update your UK Visa and Immigration account details](#)" service.
- ▶ Those who have indefinite leave to enter or indefinite leave to remain (also known as settlement or settled status) and currently prove their rights through a different type of physical document (e.g., a wet-ink stamp in a passport or a vignette sticker) may file a [No Time Limit \(NTL\)](#) application. Once their NTL application is decided, they may receive an eVisa and detailed instructions on how to access it.
- ▶ The relevant Right to Work Checks (RTW) [guidance](#) has been also updated to reflect that individuals who hold a BRP expiring on 31 December 2024 must create a UKVI account and access their visa, without needing an invitation from UKVI to do so. Where an employee has a BRP with an expiry date of 31 December 2024, the guidance confirms that the individual's immigration permission may extend beyond that date. However, the guidance also confirms that a follow up check is not needed until the employee's permission is due to expire. Where 31 December 2024 is the expiry date, a follow up check will be required.
- ▶ UKVI confirmed that they aim to continue to share relevant information about individuals' immigration status automatically with some government departments and other public authorities, with the intention to reduce the need to interact with online services when proving immigration status.

Impact on employers

Employers may consider assisting employees with creating their UKVI accounts prior to 31 December 2024 to ensure compliance and mitigate potential business disruptions. They may review their RTW process and employees' visa expiry dates to check if any RTW checks need to be carried out again to ensure they are covered after 31 December 2024. Based on UKVI's guidance, if an employer has an employee who has a BRP that apparently expires on 31 December 2024, this is not necessarily the expiry of their visa. The online check that employers are required to carry out for holders of BRP cards will confirm the real visa expiry date, and the actual expiry date is the date they may consider for the purpose of repeat checks.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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