



Home Office

Tom Pursglove MP  
Minister of State for Immigration

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21 December 2023

Rt Hon Dame Diana Johnson MP  
Chair of the Home Affairs Select Committee  
House of Commons  
London  
SW1A 0AA

Dear Dame Diana,

**Concessions to allow UK Visas and Immigration (UKVI) to consider applications to the British National (Overseas) (BN(O)) route from individuals who are on immigration bail or in breach of immigration law in prescribed circumstances.**

I am writing to advise you that I am making a Ministerial Authorisation under paragraph 17 (4) (a) of Schedule 3 of the Equality Act 2010 in relation to two policies. The first allows UKVI to waive the requirement not to be on immigration bail at the point of application for individuals who are on immigration bail solely because they have made an asylum claim. The second will allow UKVI to waive the requirement not to be in breach of immigration laws in applications where the individual withdrew their asylum claim before applying to the BN(O) route where they applied to the route within a reasonable period.

These concessions will be initially operated outside of the Immigration Rules. We have previously been clear that individuals can switch into the BN(O) route where they have a pending asylum claim and this approach ensures that continues to be the case. It will also ensure potentially vulnerable applicants are not required to return to Hong Kong and will align with our wider approach to BN(O) status holders and their family members. These authorisations will remain in place until revoked. It is intended that the first policy will be formalised in the rules at the earliest opportunity.

I am placing a copy of this letter and the Ministerial Authorisation for this concession in the Libraries of both Houses of Parliament.

With best wishes,

Yours ever,

A handwritten signature in blue ink, reading "Tom Pursglove". The signature is written in a cursive style with a blue underline under the name "Tom".

**Tom Pursglove MP**  
**Minister for Legal Migration and the Border**