



Eich cyf/Your ref P-06-1486
Ein cyf/Our ref VH/10148/24

Carolyn Thomas MS
Chair – Petitions committee
Senedd Cymru
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8 May 2025

Dear Carolyn

I wrote to you in January regarding '*Petition P-06-1486 Grant BN(O) Hong Kong students home fee status after three years of residence*'. I indicated that, in recognition of the unique position of those with the British National (Overseas) visa, Wales's status as a Nation of Sanctuary, and the complexity of immigration policy, the Welsh Government would review its policy.

That review is complete. I can confirm that the position previously communicated to you is correct. Holders of this visa must be settled in the UK and have three years ordinary residence. These are the same conditions that most groups must meet. Exceptions are few and made for those in significant humanitarian need. Unlike the Afghan and Ukraine schemes, the British National (Overseas) route is not, and was never intended to be, a form of international protection.

This is the same position as that in England and Northern Ireland. Scotland take a different position in respect of those who are not settled in the UK. Whilst that policy is of interest to the Welsh Government, there are no plans to change our current and longstanding policy approach. Requiring students to be settled to be eligible for tuition fee protections and student support ensures that resources are targeted towards those who are likely to stay in Wales and the UK to complete their education and contribute to the economy and to society.

I understand that the first cohort of British National (Overseas) visa holders from Hong Kong will become eligible for settlement from January 2026, five years after the first issue of the visa, and so will become eligible for tuition fee protections and student support at that time.

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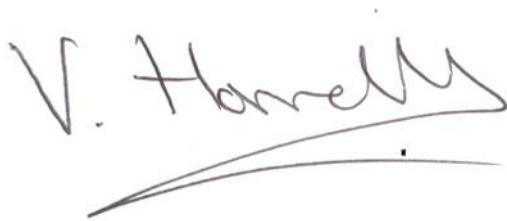
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I am conscious that this is not the response that the petitioner will have hoped for. The Welsh Government considers questions of eligibility very carefully but must do so against significant financial constraints for discretionary support for higher education.

I would like to thank you and the petitioner for raising this important topic.

Yours sincerely

A handwritten signature in black ink, appearing to read 'V. Howells', with a long, sweeping underline stroke extending to the right.

Vikki Howells AS/MS

Y Gweinidog Addysg Bellach ac Uwch
Minister for Further and Higher Education