

Mitigate against the travel cliff-edge of expiration of all UK residence cards on 31 December 2024

What?

For the past decade, the Home Office has short-dated all its biometric residence cards (BRCs) and biometric residence permits (BRPs) to 31 December 2024 even when people's permission to enter and remain in the UK extends beyond that date or is indefinite. The initial rationale was because encryption technology on these cards had to comply with new EU standards, but following Brexit this would no longer have been required. The Home Office continued with the short-dating practice because of its aim to fully digitise the UK immigration system by the end of 2024.

On 1 January 2025, there will be a sudden change in the carrier liability rules. Until that date, carriers decide whether to allow visa nationals to travel to the UK by inspecting their physical visa documents. After that date, they will be dependent on a computer system called interactive Advance Passenger Information (iAPI) to look up an individual's eVisa and return an 'OK to Board' message. Not all carriers have yet integrated with iAPI, and the system has not been extensively and widely tested - carriers are unwilling to use it currently to allow people to board who for various reasons are not in possession of a current physical document but who do have an eVisa.

Additionally, millions of people with valid leave to enter and remain in the UK do not yet have an eVisa. The program to transfer everyone to an eVisa is behind schedule. Furthermore, tens (possibly hundreds) of thousands of people with eVisas suffer technical issues with their Home Office records and are unable to use them to correctly prove their status.

Urgent mitigation measures are required to avoid a disaster after 1 January 2025 where people are unable to return home from their travels abroad. In the absence of such measures, a huge scandal will begin to unfold straight after the 2024 Christmas holidays.

Why?

Improving EU-UK relationship

The EU has consistently raised concerns about denial of boarding for Withdrawal Agreement beneficiaries who are entitled to travel with a national identity card (see Specialised Committee statements of [16 September 2021](#) and [15 June 2022](#)). In the most recent meeting of [6 June 2024](#), the EU raised existing travel incidents, and both parties discussed the impact of the upcoming EES, ETIAS and ETA systems on Withdrawal Agreement beneficiaries.

Impacted citizens

All the following cohorts will face severe obstacles travelling back to the UK from 1 January:

- Visa nationals who have obtained an eVisa but where carriers are not sufficiently integrated with new iAPI systems, or iAPI systems fail.
- Those who have not successfully managed to access their eVisa by 31 December 2024.
- Those who have an eVisa but whose immigration records are technologically broken or inaccessible, or subject to the recently uncovered 'merged identities' flaw affecting tens of thousands of individuals on the Home Office database.

- Those who have a working eVisa but are not aware that they should keep it permanently updated with their latest travel document, or who have been unable to do so for lack of digital literacy, Home Office technical failures, or being requested to physically post their travel document to the Home Office.

Why not? Reasoning behind UK Govt position and why we disagree

To date, the Home Office has not wanted to admit the extent of the failures and delays of their immigration digitalisation program. They are, understandably, unwilling to resume printing millions of BRCs and BRPs due to cost and logistics. They are also, perhaps understandably, unwilling to allow expired BRCs and BRPs to be accepted by carriers and other checking agents.

However, 31 December 2024 was a self-imposed deadline, for which the UK has had over 5 years to prepare. Persons who have every right to live and work in, and travel out of and back to, the UK **cannot** become the victims of this digitisation programme.

Cost?

- Most of the recommended changes do not come with a cost, other than the opportunity cost of collecting ETA application fees and carrier fines, and relieving carriers from the cost of returning passengers who are refused entry to the UK.
- Printing new biometric residence cards and permits will of course have a unit cost per card, which will be known to the Home Office.

How?

- Primary legislation
- Secondary legislation
- Immigration Rules
- Guidance change**

The detail

There is no legislation to be changed, all recommendations are a matter of Home Office policy changes. The mitigation measures include:

- Delaying the rollout of the Electronic Travel Authorisation and Universal Permission to Travel programmes - which require carriers to determine the permission of each and every passenger before allowing them to board and travel to the UK.
- Changing carriers' liability regulations such that carriers are mandated to accept physical documents that expire on 31 December 2024.
- Changing carriers' liability regulations such that carriers are not fined, or held responsible for the cost of returning passengers who are refused entry to the UK, if those passengers were in possession of a valid travel document, and a physical visa that expired on 31 December 2024.
- Resume the issuance of physical documents (BRPs and BRCs) until a safe and fit-for-purpose digital status is available to all individuals with leave to remain in the UK. Existing proposals for alternative implementations are already available, based on secure QR Code technology. These give the status holder a secure, cost-effective proof of status, accessible at all times.
- Provide a 24/7 helpline for anyone struggling to set up a new eVisa, or to prove their rights through an eVisa
- Provide a 24/7 helpline accessible from abroad to anyone struggling to travel back to the UK.