

STATUTORY INSTRUMENTS

2000 No. 1161

The Immigration (Leave to Enter and Remain) Order 2000

PART II

ENTRY CLEARANCE AS LEAVE TO ENTER

Entry clearance as Leave to Enter

2. Subject to article 6(3), an entry clearance which complies with the requirements of article 3 shall have effect as leave to enter the United Kingdom to the extent specified in article 4, but subject to the conditions referred to in article 5.

Commencement Information

II Art. 2 in force at 28.4.2000, see [art. 1\(2\)](#)

Requirements

3.—^[F1(1)] Subject to paragraph (4), an entry clearance shall only have effect as leave to enter if it complies with the requirements of this article.]

(2) The entry clearance must specify the purpose for which the holder wishes to enter the United Kingdom.

(3) The entry clearance must be endorsed with:

- (a) the conditions to which it is subject; or
- (b) a statement that it is to have effect as indefinite leave to enter the United Kingdom.

^[F2(4)] Subject to paragraph (5), an entry clearance shall not have effect as leave to enter if it is endorsed on a convention travel document.

(5) An entry clearance endorsed on a convention travel document before 27th February 2004 shall have effect as leave to enter.]

Textual Amendments

- F1** Art. 3(1) substituted (27.2.2004) by [The Immigration \(Leave to Enter and Remain\) \(Amendment\) Order 2004 \(S.I. 2004/475\)](#), arts. 1, [4\(a\)](#)
- F2** Art. 3(4)(5) inserted (27.2.2004) by [The Immigration \(Leave to Enter and Remain\) \(Amendment\) Order 2004 \(S.I. 2004/475\)](#), arts. 1, [4\(b\)](#)

Commencement Information

I2 Art. 3 in force at 28.4.2000, see [art. 1\(2\)](#)

Extent to which Entry Clearance is to be Leave to Enter

4.—(1) A visit visa [^{F3}(other than a visit visa granted pursuant to the ADS Agreement with China [^{F4}, or a visit visa for private medical treatment or for entry as an academic visitor]) unless endorsed with a statement that it is to have effect as a single-entry visa]^{F5}... shall have effect as leave to enter the United Kingdom on an unlimited number of occasions [^{F6}during its period of validity], in accordance with paragraph (2).

(2) On each occasion the holder arrives in the United Kingdom, he shall be treated for the purposes of the Immigration Acts as having been granted, before arrival, leave to enter the United Kingdom for a limited period beginning on the date of arrival, being:

- (a) six months if six months or more remain of the visa's period of validity; or
- (b) the visa's remaining period of validity, if less than six months.

[^{F7}(2A) A visit visa granted pursuant to the ADS Agreement with China endorsed with a statement that it is to have effect as a dual-entry visa, shall have effect as leave to enter the United Kingdom on two occasions during its period of validity, in accordance with paragraph (2B).

(2B) On arrival in the United Kingdom [or entry into a Control Zone][or entry into a control zone in France or Belgium, or a supplementary control zone in France, seeking to arrive in the United Kingdom through the tunnel system] on each occasion, the holder shall be treated for the purposes of the Immigration Acts as having been granted, before arrival [or entry into a Control Zone][or entry into the control zone or supplementary control zone], leave to enter the United Kingdom for a limited period, being the period beginning on the date on which the holder arrives in the United Kingdom [or enters a Control Zone][or enters a control zone in France or Belgium, or a supplementary control zone in France, seeking to arrive in the United Kingdom through the tunnel system] and ending on the date of expiry of the entry clearance.]

[^{F8}(2C) A visit visa granted for private medical treatment or for entry as an academic visitor, unless endorsed with a statement that it is to have effect as a single-entry visa, shall have effect as leave to enter the United Kingdom on an unlimited number of occasions during its period of validity in accordance with paragraph (2D).

(2D) On arrival in the United Kingdom [or entry into a Control Zone][or entry into a control zone in France or Belgium, or a supplementary control zone in France, seeking to arrive in the United Kingdom through the tunnel system] on each occasion, the holder shall be treated for the purposes of the Immigration Acts as having been granted, before arrival [or entry into a Control Zone][or entry into the control zone or supplementary control zone], leave to enter the United Kingdom for a limited period beginning on the date of arrival [or entry into the Control Zone][or entry into the control zone or supplementary control zone], being—

- (a) where the visit visa is granted for private medical treatment—
 - (i) 11 months if 11 months remain of the visa's period of validity, or
 - (ii) the visa's remaining period of validity, if less than 11 months, and
- (b) where the visit visa is granted for entry as an academic visitor—
 - (i) 12 months if 12 months remain of the visa's period of validity, or
 - (ii) the visa's remaining period of validity, if less than 12 months.]

[^{F9}(2E) A Service Provider from Switzerland visa shall have effect as leave to enter the United Kingdom on an unlimited number of occasions during its period of validity, in accordance with paragraph (2F).

(2F) On arrival in the United Kingdom on each occasion, the holder shall be treated for the purposes of the Immigration Acts as having been granted, before arrival, leave to enter the United Kingdom for a limited period beginning on the date of arrival, being:

- (a) 90 days if 90 days or more remain of the entry clearance's period of validity; or
- (b) the entry clearance's remaining period of validity, if less than 90 days.]

(3) In the case of [^{F10}any form of entry clearance to which this paragraph applies], it shall have effect as leave to enter the United Kingdom on one occasion during its period of validity; and, on arrival in the United Kingdom, the holder shall be treated for the purposes of the Immigration Acts as having been granted, before arrival, leave to enter the United Kingdom:

- (a) in the case of an entry clearance which is endorsed with a statement that it is to have effect as indefinite leave to enter the United Kingdom, for an indefinite period; or
- (b) in the case of an entry clearance which is endorsed with conditions, for a limited period, being the period beginning on the date on which the holder arrives in the United Kingdom and ending on the date of expiry of the entry clearance.

[^{F11}(3A) Paragraph (3) applies to –

- (a) a visit visa (other than a visit visa granted pursuant to the ADS Agreement with China) endorsed with a statement that it is to have effect as a single entry visa;
- (b) a visit visa granted pursuant to the ADS Agreement with China unless endorsed with a statement to the effect that it is to have effect as a dual entry visa; and
- (c) any other form of entry clearance [^{F12}except those to which paragraph (3B) applies].]

[^{F13}(3B) A short term biometric entry clearance shall have effect as leave to enter the United Kingdom on one occasion during its period of validity; and, on arrival in the United Kingdom, the holder shall be treated for the purposes of the Immigration Acts as having been granted, before arrival, leave to enter the United Kingdom—

- (a) in the case of an entry clearance which is endorsed with an indefinite period of leave, for an indefinite period; or
- (b) in the case of an entry clearance which is endorsed with conditions, for a limited period, being the period beginning on the date on which the holder arrives in the United Kingdom and ending on the date of the expiry of the holder's period of leave.]

(4) In this article “period of validity” means the period beginning on the day on which the entry clearance becomes effective and ending on the day on which it expires.

[^{F14}(5) In this article—

- (a) “period of leave” means the intended period of leave which—
 - (i) in the case of an indefinite intended period of leave, is endorsed on the person's short term biometric entry clearance; or
 - (ii) in the case of a limited period of leave, is stated in the written decision which accompanies the person's short term biometric entry clearance,

and such a period of leave will only have effect on the person's arrival in the United Kingdom in accordance with paragraph (3B) and subject to the powers of variation, cancellation and refusal of leave under this Order, the Immigration Acts and the immigration rules; and

- (b) “short term biometric entry clearance” means an entry clearance document which—
 - (i) is issued to a person who has made a successful application for a biometric immigration document from outside the United Kingdom, in order that the person may travel to the United Kingdom to obtain that biometric immigration document; and
 - (ii) has a period of validity ending before the expiry of the period of leave that the holder's biometric immigration document will evidence.]

Textual Amendments

- F3** Words in art. 4(1) inserted (1.4.2005) by The Immigration (Leave to Enter and Remain) (Amendment) Order 2005 (S.I. 2005/1159), arts. 1, **4(2)**
- F4** Words in art. 4(1) inserted (23.11.2016) by The Immigration (Leave to Enter and Remain) (Amendment) Order 2016 (S.I. 2016/1132), arts. 1(2), **2(2)(a)(i)**
- F5** Words in art. 4(1) omitted (23.11.2016) by virtue of The Immigration (Leave to Enter and Remain) (Amendment) Order 2016 (S.I. 2016/1132), arts. 1(2), **2(2)(a)(ii)**
- F6** Words in art. 4(1) inserted (23.11.2016) by The Immigration (Leave to Enter and Remain) (Amendment) Order 2016 (S.I. 2016/1132), arts. 1(2), **2(2)(a)(iii)**
- F7** Art. 4(2A)(2B) inserted (1.4.2005) by The Immigration (Leave to Enter and Remain) (Amendment) Order 2005 (S.I. 2005/1159), arts. 1, **4(3)**
- F8** Art. 4(2C)(2D) inserted (23.11.2016) by The Immigration (Leave to Enter and Remain) (Amendment) Order 2016 (S.I. 2016/1132), arts. 1(2), **2(2)(b)**
- F9** Art. 4(2E)(2F) inserted (coming into force in accordance with art. 1(2) of the amending S.I.) by The Immigration (Leave to Enter and Remain) (Amendment) (EU Exit) Order 2020 (S.I. 2020/1353), **art. 2(3)**
- F10** Words in art. 4(3) substituted (1.4.2005) by The Immigration (Leave to Enter and Remain) (Amendment) Order 2005 (S.I. 2005/1159), arts. 1, **4(4)**
- F11** Art. 4(3A) inserted (1.4.2005) by The Immigration (Leave to Enter and Remain) (Amendment) Order 2005 (S.I. 2005/1159), arts. 1, **4(5)**
- F12** Words in art. 4(3A)(c) inserted (18.3.2015) by The Immigration (Leave to Enter and Remain) (Amendment) Order 2015 (S.I. 2015/434), arts. 1(1), **2(3)(a)**
- F13** Art. 4(3B) inserted (18.3.2015) by The Immigration (Leave to Enter and Remain) (Amendment) Order 2015 (S.I. 2015/434), arts. 1(1), **2(3)(b)**
- F14** Art. 4(5) inserted (18.3.2015) by The Immigration (Leave to Enter and Remain) (Amendment) Order 2015 (S.I. 2015/434), arts. 1(1), **2(3)(c)**

Modifications etc. (not altering text)

- C1** Art. 4 modified (30.7.2000) by S.I. 1993/1813, art. 7, **Sch. 4 para. 3(a)(b)** (as inserted by The Channel Tunnel (International Arrangements) (Amendment No. 2) Order 2000 (S.I. 2000/1775), arts. 1, **2(3)**)
- C2** Art. 4 modified (25.5.2001) by S.I. 1993/1813, **Sch. 4 para. 4(a)(b)** (as substituted by The Channel Tunnel (International Arrangements) (Amendment No. 3) Order 2001 (S.I. 2001/1544), arts. 1(2), 7)
- C3** Art. 4 modified by S.I. 1994/1405, **art. 7** (as amended (coming into force in accordance with reg. 1(3) of the amending S.I.) by The Channel Tunnel (International Arrangements and Miscellaneous Provisions) (Amendment) Order 2020 (S.I. 2020/915), **art. 11**)
- C4** Art. 4 modified (30.9.2020 immediately after the entry into force of S.I. 2020/915, **art. 5**) by The Channel Tunnel (Arrangements with the Kingdom of the Netherlands) Order 2020 (S.I. 2020/916), arts. 1(3), **6**
- C5** Order extended (with modifications) (1.2.2004 as notified in the Gazettes) by The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003 (S.I. 2003/2818), arts. 1(2), 11(1)(d), **Sch. 2** (as amended (31.3.2021) by The Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) (Amendment) Order 2021 (S.I. 2021/311), arts. 1(2), **2(7)(d)**)
- C6** Art. 4 modified (25.5.2001) by S.I. 1993/1813, **Sch. 4 para. 4(a)(b)** (as substituted by The Channel Tunnel (International Arrangements) (Amendment No. 3) Order 2001 (S.I. 2001/1544), arts. 1(2), 7) (as amended (30.9.2020) by The Channel Tunnel (International Arrangements and Miscellaneous Provisions) (Amendment) Order 2020 (S.I. 2020/915), arts. 1(2), **5(8)**)

Commencement Information

- I3** Art. 4 in force at 28.4.2000, see **art. 1(2)**

Conditions

5. An entry clearance shall have effect as leave to enter subject to any conditions, being conditions of a kind that may be imposed on leave to enter given under section 3 of the Act, to which the entry clearance is subject and which are endorsed on it.

Commencement Information

I4 Art. 5 in force at 28.4.2000, see [art. 1\(2\)](#)

Incidental, supplementary and consequential provisions

6.—(1) Where an immigration officer exercises his power to cancel leave to enter under paragraph 2A(8) of Schedule 2 to the Act⁽¹⁾ or article 13(7) below in respect of an entry clearance which has effect as leave to enter, the entry clearance shall cease to have effect.

(2) If the holder of an entry clearance—

- (a) arrives in the United Kingdom before the day on which it becomes effective; or
- (b) seeks to enter the United Kingdom for a purpose other than the purpose specified in the entry clearance,

an immigration officer may cancel the entry clearance.

(3) If the holder of an entry clearance which does not, at the time, have effect as leave to enter the United Kingdom seeks leave to enter the United Kingdom at any time before his departure for, or in the course of his journey to, the United Kingdom and is refused leave to enter under article 7, the entry clearance shall not have effect as leave to enter.

Modifications etc. (not altering text)

- C7** Art. 6 modified (30.7.2000) by S.I. 1993/1813, art. 7, [Sch. 4 para. 3\(c\)](#) (as inserted by [The Channel Tunnel \(International Arrangements\) \(Amendment No. 2\) Order 2000](#) (S.I. 2000/1775), arts. 1, [2\(3\)](#))
- C8** Art. 6 modified (25.5.2001) by S.I. 1993/1813, [Sch. 4 para. 4\(c\)](#) (as substituted by [The Channel Tunnel \(International Arrangements\) \(Amendment No. 3\) Order 2001](#) (S.I. 2001/1544), arts. 1(2), 7)
- C9** Art. 6 modified by S.I. 1994/1405, [art. 7](#) (as amended (coming into force in accordance with reg. 1(3) of the amending S.I.) by [The Channel Tunnel \(International Arrangements and Miscellaneous Provisions\) \(Amendment\) Order 2020](#) (S.I. 2020/915), [art. 11](#))
- C10** Art. 6 modified (30.9.2020 immediately after the entry into force of S.I. 2020/915, [art. 5](#)) by [The Channel Tunnel \(Arrangements with the Kingdom of the Netherlands\) Order 2020](#) (S.I. 2020/916), arts. 1(3), [6](#)

Commencement Information

I5 Art. 6 in force at 28.4.2000, see [art. 1\(2\)](#)

(1) Paragraph 2A is inserted into Schedule 2 to the Act by paragraph 57 of Schedule 14 to the Immigration and Asylum Act 1999.

Changes to legislation:

There are currently no known outstanding effects for the The Immigration (Leave to Enter and Remain) Order 2000, PART II.