

EXPLANATORY MEMORANDUM TO
THE IMMIGRATION (PASSENGER TRANSIT VISA) (AMENDMENT)
(No. 2) ORDER 2015

2015 No. 1534

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. **Purpose of the instrument**

2.1 This order removes the requirement for holders of diplomatic passports issued by South Africa to hold a transit visa if they want to pass through the United Kingdom without entering whilst transiting to another country.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None.

4. **Legislative Context**

4.1 The Order amends the Immigration (Passenger Transit Visa) Order 2014 which requires certain passengers (including nationals or citizens of South Africa) to hold a transit visa to pass through the United Kingdom without entering whilst transiting to another country. The amendments are being made in part to align airside transit with a similar amendment to Appendix V of the Immigration Rules which govern landside transit.

5. **Territorial Extent and Application**

5.1 This instrument applies to all of the United Kingdom.

6. **European Convention on Human Rights**

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. **Policy background**

- What is being done and why

7.1 The Order is lifting the requirement for holders of South African diplomatic passports to obtain a transit visa to pass through the United Kingdom without entering whilst transiting to another country. This is because holders of such passports are considered a low immigration risk and unlikely to use the exemption for an improper purpose. The amendment also

aligns the position of holders of such passports with a similar amendment to Appendix V of the Immigration Rules which governs landside transit.

- Consolidation

7.2 As the amendment to the 2014 Order is very small, consolidation is not thought to be appropriate on this occasion.

8. Consultation outcome

8.1 There has been no public consultation.

9. Guidance

9.1 This change will be reflected in all relevant guidance. Relevant operational partners and carriers will be informed.

10. Impact

10.1 The impact on business, charities or voluntary bodies is considered minimal and indirect.

10.2 The impact on the public sector is not significant.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The Home Office regularly reviews the UK's visa regime.

13. Contact

Alex Burbidge at the Home Office Tel: 02070358720 or email:
Alex.Burbidge2@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.