

2015 No. 657

IMMIGRATION

**The Immigration (Passenger Transit Visa) (Amendment)
Order 2015**

<i>Made</i>	- - - -	<i>10th March 2015</i>
<i>Laid before Parliament</i>		<i>16th March 2015</i>
<i>Coming into force</i>		
<i>Articles 1, 2(1) and (13)</i>		<i>17th March 2015</i>
<i>Remainder</i>		<i>24th April 2015</i>

The Secretary of State, in exercise of the powers conferred by section 41 of the Immigration and Asylum Act 1999(a), makes the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Immigration (Passenger Transit Visa) (Amendment) Order 2015.

(2) Articles 1, 2(1) and (13) of this Order come into force on 17th March 2015 and all other articles come into force on 24th April 2015.

Amendments to the Immigration (Passenger Transit Visa) Order 2014

2.—(1) The Immigration (Passenger Transit Visa) Order 2014(b) is amended as follows.

(2) In article 2(1), for “paragraph (2), (3) or (4)”, substitute “paragraph (2), (3), (4) or (4A)”.

(3) After article 2(4) insert—

“(4A) This paragraph applies to a person who holds—

(a) a passport; or

(b) another document that can be used (in some or all circumstances) instead of a passport;

which does not establish citizenship or nationality”.

(4) In article 2(5)(b) omit “or”.

(5) After article 2(5)(c) insert—

“; or

(d) is a citizen or national of the territory of Taiwan.”.

(a) 1999 c. 33.
(b) S.I. 2014/2702.

(6) In article 2(6) after the definition of “Approved Destination Status Scheme” insert the following definition—

““Convention Travel Document” means a document issued in accordance with Article 28 of—

- (a) the 1951 United Nations Convention Relating to Status of Refugees done at Geneva on 28th July 1951(a) as amended by the New York Protocol of 31st January 1967(b); or
- (b) the 1954 United Nations Convention on the Status of Stateless Persons done at New York on 28th September 1954(c).”.

(7) After article 4(a)(d) insert—

“(aa) an expired visa for entry to Australia, Canada, New Zealand or the United States of America provided it is less than six months since the transit passenger last entered that country with a valid visa;”.

(8) For article 4(g) substitute—

“(g) a valid temporary USA I-551 machine readable immigrant visa;”.

(9) In article 4(l) for “United Kingdom to a” substitute “United Kingdom to that”;

(10) In article (4), in each of paragraphs (n), (o) and (p), after “a”, insert “valid”.

(11) In article 4(o) omit “or”.

(12) After article 4(p) insert—

- “(q) a valid diplomatic passport issued by Turkey;
- (r) a valid alien’s passport issued by Estonia or Latvia;
- (s) a valid Convention Travel Document; or
- (t) a valid laissez-passer issued by the United Nations or the International Committee of the Red Cross.”.

(13) In article 4, which is renumbered article 4(1), at the end, insert—

“(2) Paragraph (1)(a) shall not apply where the transit passenger is a citizen or national of Syria holding a B1 or B2 visa for entry to the United States of America.”.

(14) In article 4(2) after “Paragraph (1)(a)” insert “and (1)(aa)”.

(15) In article 4, at the end, insert—

“(3) All documents listed in this article exclude versions held—

- (a) in electronic format; or
- (b) in hardcopy format which derives from electronic format

except where the document can be verified by the owner of the aircraft (or his employee or agent) in which the transit passenger intends to travel to the United Kingdom.”.

(16) In Schedule 1—

- (a) omit “China”; and
- (b) after “Palestinian Territories” insert as a new entry “People’s Republic of China”.

Home Office
10th March 2015

James Brokenshire
Minister of State

(a) United Nations, Treaty Series, volume 189 at page 137.
(b) United Nations, Treaty Series, volume 606 at page 267.
(c) United Nations, Treaty Series, volume 360 at page 117.
(d) Article 4 of the Immigration (Passenger Transit Visa) Order 2014 is renumbered article 4(1) by virtue of article 2(13) of this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Immigration (Passenger Transit Visa) Order 2014 (S.I. 2014/2702) which requires certain passengers to hold a transit visa to pass through the United Kingdom without entering while transiting to another country.

Article 2(2) and (3) of this Order require all passengers holding a travel document which does not establish citizenship or nationality to also hold a transit visa to pass through the United Kingdom without entering.

Article 2(4), (5) and (16) clarifies that citizens and nationals of the territory of Taiwan do not require a transit visa.

Article 2(6) defines “Convention Travel Document”.

Article 2(7) exempts holders of an expired visa for entry to Australia, Canada, New Zealand or the United States of America from the requirement to hold a transit visa, provided it is less than six months since the holder last entered that country with a valid visa.

Article 2(8) limits the versions of a valid USA I-551 temporary immigrant visa, which exempts the holder from the requirement to hold a transit visa, to one that is machine readable.

Article 2(9) clarifies that a person must be travelling to the same Schengen Acquis State which issued the visa to a Chinese tour group under the Approved Destination Status Scheme in order to benefit from this exemption from the requirement to hold a transit visa.

Article 2(10) clarifies that diplomatic and service passports issued by the People’s Republic of China and diplomatic and official passports issued by India or Vietnam must be valid in order to grant the holder an exemption from the requirement to hold a transit visa.

Article 2(11) and (12) exempts holders of a diplomatic passport issued by Turkey from the requirement to hold a transit visa and, as a consequence of article 2(3), makes clear that holders of aliens’ passports issued by Latvia and Estonia, Convention Travel Documents and a laissez-passer issued by the United Nations or the International Committee of the Red Cross will continue to remain exempt from the transit visa requirement.

Articles 2(13) and (14) restricts the types of entry visas which exempt citizens and nationals of Syria from the requirement to hold a transit visa.

Article 2(15) clarifies that electronic format documents will not exempt the holder from the requirement to hold a transit visa, other than when such documents can be verified by the airline.

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