
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Immigration (Control of Entry through Republic of Ireland) Order 1972.

Article 3(4) and (5), and the Schedule, ensure that where a visa national who is a citizen of India or the People's Republic of China applies to the Republic of Ireland authorities for a visa, is granted the visa for a 90 day visit and is then granted permission to land or to be in the Republic by the Irish authorities, the person is able to travel to the UK on a local journey pursuant to section 1(3) of the Immigration Act 1971⁽¹⁾, provided the person has with him the Irish visa and the endorsement showing he has permission to land or be in the Republic at the time when he enters the UK, and even though he does not have a visa to enter the United Kingdom.

Article 3(7) and (10) provides that such a person is able to remain in the UK until the expiry date of the permission to land or be in the Republic of Ireland which is endorsed on the person's passport, but is not able to take any occupation for reward or any employment.

The foregoing provisions collectively provide for recognition of certain visit visas issued by the Republic of Ireland. As part of the "British Irish Visa Scheme", this Order will enable the specified visa nationals who come to the Republic with the specified Irish visa to travel onward to the United Kingdom on a local journey, as long as they have both the Irish visa and the valid endorsement of permission to land or be in the Republic in their possession on entry, and even though the visa nationals do not have a visa for the United Kingdom.

Article 3(6), (8), (9) and (13) makes amendments in respect of EEA nationals and those exercising EU rights to ensure they do not fall within the provisions in article 4 of the 1972 Order which confer a period of permission to remain in the United Kingdom.

Article 3(7), (11) and (12) removes the previous provisions in the 1972 Order concerning UK visas endorsed with the words "short visa" as such visas are no longer issued.

⁽¹⁾ 1971 c.77.