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CHAPTER 1  
SECTION 2

## COMMON TRAVEL AREA

**PERSONS ARRIVING IN THE UNITED KINGDOM WHO INTEND TO TRAVEL  
TO THE REPUBLIC OF IRELAND, CHANNEL ISLANDS OR  
THE ISLE OF MAN****1. GENERAL**

The Authorities of the above-mentioned territories which, with the United Kingdom, comprise the common travel area, exercise control and supervision of persons within their own jurisdiction. The objective of the Common Travel Area, however, is that all the territories should be treated as a single unit for the purpose of travel within the area. It follows that the immigration officer should not give leave to enter to a person proceeding to one of the other territories for any purpose unless he qualifies to enter the United Kingdom for a similar purpose.

The Immigration Acts of 1971 and 1988 extend to the Channel Islands and the Isle of Man in slightly modified forms. Similarly the Islands have their own Rules (called Directions in Jersey) which closely follow the United Kingdom Immigration Rules and for practical purposes may be regarded as identical.

**Note: \* *EEA nationals and their families in transit to the Channel Islands and the Isle of Man should be dealt with as they would be if staying in the United Kingdom. See Chapter 7, Section 3 "European Economic Area Nationals and their families" if further guidance is required.***

**\* *The visa waiver concession may be applied to transit through the United Kingdom to another part of the Common Travel Area, subject to the normal provisions (see Chapter 2, Section 2, "Passengers in transit" Annex D), provided that the immigration officer is satisfied that the person is acceptable to the immigration authorities in the territory of destination.***

**2. THE REPUBLIC OF IRELAND****2.1. Visa and other requirements in the Republic of Ireland**

Irish legislation defines a foreign national as a person who is neither a citizen of Ireland nor a citizen of Great Britain or Northern Ireland. Where a person who intends to travel on to the Republic of Ireland requires a visa to enter the Republic, and is not in possession of such a visa, the immigration officer should contact the Department of Justice, Dublin, to establish whether or not he will be acceptable to the immigration authorities there. If he is not, leave to enter should be refused under Paragraph 320(4)

of HC 395. For details of visa requirements to the Republic of Ireland, refer to the *Travel Information Manual (TIM)*.

## 2.2. **Visitors and persons who qualify for indefinite leave to enter the United Kingdom**

Any person who is subject to control, who intends to proceed to the Republic of Ireland, who appears acceptable there and who would normally qualify for leave to enter on Code 5N as a visitor if he were intending to remain in the United Kingdom for the whole of his stay may be given leave to enter on Code 5N.

Where a person intending to proceed to the Republic of Ireland as a visitor does not qualify for Code 5N but refusal of leave to enter is not appropriate, he should be granted leave to enter on **Code 3 for one month**.

Any person who qualifies for indefinite leave to enter the United Kingdom should be given such leave.

## 2.3. **Persons intending employment in the Republic of Ireland**

A person seeking entry to the United Kingdom en route to the Republic for employment should be refused leave to enter unless he is in possession of an Irish labour permit or official confirmation that the permit has been or will be granted. Holders of Irish labour permits or other official documentation should be given leave to enter for 1 month on Code 3.

## 2.4. **Other persons travelling to the Republic of Ireland, including those resident there**

A person who is intending to travel to the Republic of Ireland in circumstances other than those described in paragraphs 2.2 or 2.3 above, e.g. as a student or a seaman joining a ship in the Republic, **and including those resident in the Republic**, should be given leave to enter for no more than 1 month on Code 3.

## 3. **THE CHANNEL ISLANDS AND THE ISLE OF MAN**

### 3.1. **Visa nationals without visas**

Unless otherwise exempted from the requirement to produce a visa, visa nationals seeking entry in transit to the Channel Islands or the Isle of Man, who are not in possession of a visa for the Channel Islands will normally fall to be refused leave to enter - see paragraph 5 below regarding referral requirement.

### 3.2. **Work permit holders**

Upon presentation of a permit to take employment issued by one of the Islands (Guernsey, Isle of Man, Jersey) a non-visa national should be given leave to enter for the period indicated on the permit on Code 2. Although there is no requirement for a permit holder to register with the police in the Channel Islands there is in the Isle of Man.

A work permit holder with an entry clearance which confers leave to enter or who qualifies for continuing leave should be dealt with as if he or she were seeking entry or returning to the United Kingdom.

In all cases above a copy landing card should be forwarded to the appropriate Island. In the case of a Guernsey or Isle of Man permit, part 2 thereof should be detached, date stamped and forwarded with a copy card.

### 3.3. **Persons with indefinite leave to enter or remain in the Channel Islands or the Isle of Man.**

Any passenger subject to control who has indefinite leave to enter or remain in the Channel Islands should be dealt with under the returning resident provisions (Paragraphs 18 & 19 of HC 395). Such persons should be given indefinite leave to enter if they qualify for admission.

### 3.4. **Other returning residents**

Persons who have extant leave to enter or remain in the Channel Islands or the Isle of Man may be given leave to enter for the remaining period, provided that they still qualify for entry.

### 3.5. **All other categories**

A person proceeding to the Islands in any other category should be dealt with as if he or she were seeking entry to the United Kingdom. Doubtful cases should be referred to the appropriate Island's Immigration Department. Please note that the Isle of Man Immigration Office is only open Monday to Friday, normal office hours, while Jersey and Guernsey may usually be contacted any day from 0800 to 1900 hours. A copy landing card should be forwarded except in the cases of a person landed on Code 5N or a returning resident with indefinite leave to remain.

***See also Chapter 5 ("Work Permit Employment") - ANNEX A, "On-Entry - General Guidance", under the title "Permits issued by other authorities within the Common Travel Area".***

## 4. **REFUSAL OF LEAVE TO ENTER IN RESPECT OF PASSENGERS SEEKING TO TRANSIT TO OTHER PARTS OF THE COMMON TRAVEL AREA**

Paragraph 320(4) of the Rules should only be used as a reason for refusal of leave to enter in cases where a passenger seeks entry in transit to another part of the common travel area and ***there is reason to believe that he is not acceptable there.***

Before such a passenger is refused entry for that reason the appropriate authority in the Islands or the Republic of Ireland should be contacted (see paragraph 6. below). Where the authority is contacted by telephone and indicates that the passenger is ***not*** acceptable, the request for advice and the reply should be confirmed by fax or telex.

The message should contain full details of the case and must be approved by a supervising officer. Both the message and reply must be available for production in the event of an appeal.

There will be cases where a passenger seeking transit to the Republic of Ireland or the Islands has all the required documents for admission there but it is suspected that he has no intention of going there or that he intends re-entering the United Kingdom without examination by an immigration officer. Since the issue is largely one of credibility, the appropriate authorities may be unable to make a statement as to whether or not a passenger is acceptable to them.

In such cases the immigration officer's examination should be directed at establishing the passenger's real intentions, and where refusal of leave to enter is justified, Paragraph 320(4) of HC 395 should ***not*** be used as a reason for refusing entry.

#### 4.1. **Persons refused entry to the United Kingdom requesting removal to another part of the Common Travel Area**

If a person who has been refused leave to enter the United Kingdom requests permission to leave for the Republic of Ireland, the immigration officer should normally refuse the request. In ***exceptional*** circumstances, where the person intended to travel to the Republic and is known to be acceptable there, the Officer in Charge may direct removal to the Republic. Similar facilities should ***not*** be afforded to persons who wish to proceed to the Islands.