

**CHAPTER 1  
SECTION 2**

**COMMON TRAVEL AREA**

**LEAVE TO REMAIN - FURTHER GUIDANCE**

**1. APPLICATIONS FOR LEAVE TO REMAIN**

**1.1. Work permit applications from persons in the Republic of Ireland**

Work Permits (UK) does not issue work permits to people who apply for a work permit whilst in the Republic of Ireland as they do not pass through normal immigration control procedures on entering the country.

Where Work Permits (UK) approves the proposed employment they send a letter to the employer for onward transmission to the employee and a copy to IND. The letter instructs the employee to apply to the Immigration Department for leave to remain within one month of his arrival in the United Kingdom. This procedure applies only to applicants who are in the Republic of Ireland at the time the application is made and are non-visa nationals.

Under the Immigration (leave to Enter and Remain) Order 2000, entry clearances issued to visa nationals by the British Embassy in Dublin which bear the conditions of stay also confer leave to enter the UK. On arrival in the UK the process of passing through the arrivals zone will activate the visa conferring LTE the UK for the period of the visa and will not require further endorsement by either an Immigration Officer or by the Home Office.

An application for a work permit (from a person who is subject to Immigration (Control of Entry through Republic of Ireland) Order 1972 (as amended) restrictions) **after his arrival** in the United Kingdom should be dealt with in the normal way.

**1.2. Returning residents**

If a person who qualifies as a returning resident becomes subject to Immigration (Control of Entry through Republic of Ireland) Order restrictions, indefinite leave to remain should be granted on application.

**1.3. Applications for leave to remain from persons living in the Channel Islands or Isle of Man**

Applications submitted to the Home Office from persons living in the Channel Islands or the Isle of Man should not be dealt with by the Home Office.

Any person who has submitted such an application should be advised by letter that if he wishes to extend his stay in one of the Islands then he should make an application to the relevant Island authorities at the appropriate address below:

- \* **JERSEY**  
Immigration and Nationality Department  
Maritime House  
La Route du Port Elizabeth  
St Helier  
Jersey            JE1 1JD
  
- \* **GUERNSEY**  
Immigration and Nationality Department  
PO Box 417  
White Rock  
New Jetty  
St Peter Port  
Guernsey        GY1 3WJ
  
- \* **ISLE OF MAN**  
Isle of Man Immigration Office  
Prospect House  
27 - 29 Prospect Hill  
Douglas  
Isle of Man  
IM1 1ET

The Home Office File, where one exists, should be forwarded to BCPI for onward transmission to the relevant Island authority.