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**CHAPTER 1
SECTION 4**

ENTRY CLEARANCE

ON ENTRY - PRACTICAL CONSIDERATIONS

1. FORM OF VISAS AND ENTRY CERTIFICATES

A standardised form of entry clearance vignette for entry to the United Kingdom is used by all overseas issuing posts. Its wording and design, including details of the safeguards against forgery, are held by ports forgery teams. It is used for entry to the United Kingdom only.

2. VALIDITY OF ENTRY CLEARANCES

2.1. Entry Clearances issued from 2 October 2000

From this date, entry clearances allow unlimited entries within the period of validity shown on the entry clearance. Normally the “valid from” date will be the date of issue and the date that the leave granted commences. It is activated when the holder passes through immigration control and their passport is endorsed with the Immigration Officers stamp.

2.2. Visit Visas

Visit visas are normally valid for 6 months, 12 months, 2 years and 5 years. The visas are valid for unlimited journeys within the validity period of the visa. However, holders of visit visas may only remain in the UK for a maximum of six months on any one visit, or until the visa expires if less than six months. This restriction is indicated on the visa by the entry “180” days after the “Duration of stay” section. The holder may not remain (without further permission) in the UK after the “valid until” date on the visit visa, even if this is less than six months.

2.3. Visitors

As of 2 October 2000 the new entry clearances have effect as leave to enter the United Kingdom. As well as detailing the purpose for which the holder wishes to enter the UK and the conditions of entry the entry clearance will also be endorsed with a “valid from” date and a “valid until” date. The ECO has the authority to defer the “valid from” date, for a period up until 3 months, in order that it coincides with the applicants proposed departure date. This would then enable the applicant to benefit from the maximum period of leave allowed in the particular category on arrival in the UK.

Where the applicant has delayed their arrival to the United Kingdom and the immigration officer's endorsement stamp denoting arrival is after the "valid from" on the entry clearance caseworkers may receive applications for a short extension of stay. This would be on the basis that the applicant wishes to benefit from the maximum period of leave allowed as a visitor. In such cases caseworkers should be advised that unless the applicant fails to meet the requirements of Paragraph 41 (i)– (vii) in HC 395, it would be appropriate to grant a short extension of stay taking the leave up to six months from the date of the first arrival in the UK.

2.4. Working Holiday Makers

Those who delay arrival until a date after the "effective" date from which the entry clearance became valid for use will lose a part of the potential 2 year stay endorsed on the entry clearance. They will not be able to obtain an extension of stay to make up for the period of stay thus lost. For more information on Working Holiday Makers see Chapter 4, section 2 of the IDI.

2.5. Appeals

As of 2 October 2000, the new style entry clearances which have effect as leave to enter, will only be endorsed by the immigration officer on the passengers first arrival in the United Kingdom. In cases of long validity visas (in excess of 6 months) where, for example, a visitor seeks to switch to another category, i.e. marriage, the caseworker will be required to establish whether the application was submitted in-time. As the passport is only endorsed on the first arrival in the United Kingdom it will not be evident whether the applicant has exceeded the maximum permitted six months leave in the United Kingdom. The advice to caseworkers is that unless there is strong evidence to suggest that the applicant has overstayed or that the entry clearance has expired caseworkers should treat the application as being in-time.

2.6. Entry Clearances issued prior to 2 October 2000

Entry clearances must be presented within a certain period from the date of issue, depending on the type of clearance and number of entries for which it is issued. Unless restricted, on returnability grounds or at the discretion of the entry clearance officer or the Home Office, entry clearances normally have the following validity:

- * single entry – 6 months
- * multiple entry – 6 months, two years or five years, and
- * Direct Airside Transit visa – 3 months (2 years for frequent business travellers)

3. GROUP VISAS

In certain cases, a group visa may be granted to a party on a collective certificate. Usually the members of the party carry separate passports but sometimes the collective certificate is accepted in lieu. Normally, the certificate will include a list of the group members (nominal roll), in which case leave to enter should be endorsed on the nominal roll, with an indication that the endorsement applies to the whole group. Where no such nominal roll exists, the passport of each member of the group should be endorsed.

4. CHILDREN TRAVELLING IN SCHOOL GROUPS - EUROPEAN UNION COUNCIL AGREEMENT TO WAIVE VISA REQUIREMENTS

Following an EU agreement between all Member States all third country visa national school children resident in another Member State are now allowed to travel to the UK *without obtaining a visa*.

To qualify under this measure, schoolchildren must:

- ◆ attend a general education school;
- ◆ travel as part of an organised school group;
- ◆ be accompanied by a teacher; and
- ◆ their names must be included on the officially approved List of Travellers form to be obtained by schools.

There are no specific age limits included in this measure. This takes account of differing educational systems in Europe.

Third country national schoolchildren may also use the List of Travellers form as a travel document *provided* the list has been authenticated by a suitable stamp endorsed by the relevant Member State. There will be no need for possession of a separate passport or ID card.

4.1. Children travelling from the UK

Third country national schoolchildren resident in the UK may travel to another Member State *without obtaining a visa* if:

- ◆ they attend a general education school;
- ◆ they are travelling as part of an organised school trip;

- ◆ they are accompanied by a teacher; and
- ◆ their names are included on the officially approved form to be obtained by the school from the DfES.

Children travelling from the United Kingdom cannot use the List of Travellers form as a travel document and must therefore be in possession of their own valid passport or travel document. This should contain an endorsement showing that they have been given permission to enter or remain in the United Kingdom.

There are no specific age limits included in the measure. This takes account of the differing educational systems in Europe. However, the List of Travellers form can only be used by general education schools; it is not for the use of specialist institutions such as schools of English, schools of hairdressing, typing schools, secretarial colleges, FE colleges or other such establishments. (Although those students attending a sixth form attached to a general education school may use the List of Travellers form).

5. SEAMEN

- * Foreign seamen settled here, who signed on in the United Kingdom may be given leave to enter in the absence of a visa when discharging from a vessel here or when arriving as passengers having signed off abroad.
- * Foreign seamen who arrive in the United Kingdom as crew members may be given leave to enter for discharge, if otherwise acceptable, without a visa.
- * Visas are not required for temporary shore leave (under Section 8(1) of the 1971 Act).
- * A seaman who arrives as a passenger and is under contract to join a ship in the United Kingdom does not require a visa if he holds a seafarer's identity document issued by a country which has ratified the International Labour Office Convention No. 108 (A list of these countries is provided at **Chapter 16, "Seamen and Aircrew"**).

6. AIRCREW

The visa requirement may be waived in respect of visa nationals who arrive and are to leave as aircrew within seven days.

7. WORKERS ON OFFSHORE INSTALLATIONS OF THE OIL/GAS INDUSTRY

Normal visa requirements apply to visa nationals who are employees of offshore installations, drill ships, lay barges, derrick barges or jet barges who seek to come ashore in the United Kingdom, having joined the rig or vessel from a foreign country or travelled with the rig or vessel from a foreign country.