
STATUTORY INSTRUMENTS

2014 No. 2702

IMMIGRATION

The Immigration (Passenger Transit Visa) Order 2014

Made - - - - *8th October 2014*
Laid before Parliament *16th October 2014*
Coming into force - - *1st December 2014*

The Secretary of State, in exercise of the powers conferred by section 41 of the Immigration and Asylum Act 1999 Act⁽¹⁾, makes the following Order:

Citation and commencement

1. (1) This Order may be cited as the Immigration (Passenger Transit Visa) Order 2014.
- (2) This Order comes into force on 1st December 2014.

Interpretation

2. (1) Subject to paragraph (5), in this Order a “transit passenger” means a person to whom paragraph (2), (3) or (4) applies and who on arrival in the United Kingdom passes through to another country or territory without entering the United Kingdom.

(2) This paragraph applies to a person who is a citizen or national of a country or territory listed in Schedule 1 to this Order.

(3) This paragraph applies to a person holding a travel document issued by the purported “Turkish Republic of Northern Cyprus”.

(4) This paragraph applies to a person who holds a passport issued by the Republic of Venezuela that does not contain biometric information contained in an electronic chip.

- (5) A person to whom paragraph (2), (3) or (4) applies will not be a transit passenger if he—
- (a) has the right of abode in the United Kingdom under the Immigration Act 1971⁽²⁾;
 - (b) is a citizen or national of an EEA State; or
 - (c) in the case of a citizen or national of the People’s Republic of China, holds a passport issued by either the Hong Kong Special Administrative Region or the Macao Special Administrative Region.

(1) 1999 c. 33.
(2) 1971 c. 77.

(6) In this Order—

“Approved Destination Status Scheme” means a scheme for issuing visas to Chinese tour groups under—

- (a) the Memorandum of Understanding between the European Community and the National Tourism Administration of the People’s Republic of China on visa and related issues concerning tourist groups from the People’s Republic of China (ADS) signed at Beijing on 12th February 2004⁽³⁾; or
- (b) a similar agreement between the People’s Republic of China and a Schengen Acquis State;

“EEA State” means a country which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992⁽⁴⁾ as adjusted by the Protocol signed at Brussels on 17th March 1993⁽⁵⁾;

“Schengen Acquis State” means an EEA State (excluding the United Kingdom and Republic of Ireland) or Switzerland.

Requirement for a transit passenger to hold a transit visa

3. Subject to article 4, a transit passenger is required to hold a transit visa.

Exemption from the requirement for a transit passenger to hold a transit visa

4. A transit passenger is not required to hold a transit visa if he holds or a person with whom he arrives in the United Kingdom holds on his behalf—

- (a) a valid visa for entry to Australia, Canada, New Zealand or the United States of America;
- (b) a valid Australian Permanent Resident Visa;
- (c) a valid Canadian Permanent Resident Card issued on or after 28th June 2002;
- (d) a valid New Zealand Permanent Resident Visa;
- (e) a valid USA I-551 Permanent Resident Card issued on or after 21st April 1998;
- (f) an expired USA I-551 Permanent Resident Card provided it is accompanied by a valid I-797 letter authorising an extension of the period of permanent residency;
- (g) a valid USA I-551 Temporary Immigrant Visa;
- (h) a valid standalone US Immigration Form 155A/155B attached to a brown sealed envelope;
- (i) a valid common format Category D visa for entry to an EEA state or Switzerland;
- (j) a valid common format residence permit issued by an EEA State pursuant to Council Regulation (EC) No 1030/2002⁽⁶⁾ or Switzerland;
- (k) a valid biometric visa issued by the Republic of Ireland;
- (l) a valid visa issued by a Schengen Acquis State under the Approved Destination Status Scheme where the transit passenger is undertaking a journey via the United Kingdom to a Schengen Acquis State;
- (m) a valid airline ticket for travel via the United Kingdom as part of a journey from a Schengen Acquis State to another country or territory, provided that the transit passenger does not seek to travel via the United Kingdom on a date more than 30 days from the date on which

⁽³⁾ OJ L83, 20.3.04, p. 14.

⁽⁴⁾ OJ L1, 3.1.94, p. 3.

⁽⁵⁾ OJ L1, 3.1.94, p. 571.

⁽⁶⁾ OJ L157, 15.6.02, p. 1.

he last entered a Schengen Acquis State with a valid visa issued by a Schengen Acquis State under the Approved Destination Status Scheme;

- (n) a diplomatic or service passport issued by the People's Republic of China;
- (o) a diplomatic or official passport issued by India; or
- (p) a diplomatic or official passport issued by Vietnam.

Method of application for a transit visa

5. An application for a transit visa may be made to any British High Commission, Embassy or Consulate which accepts such applications.

Revocations

- 6. The Orders specified in Schedule 2 to this Order are revoked.

8th October 2014

James Brokenshire
Minister of State
Home Office

SCHEDULE 1

Article 2(2)

Countries or territories whose nationals or citizens need transit visas

Afghanistan
Albania
Algeria
Angola
Bangladesh
Belarus
Burma
Burundi
Cameroon
China
Congo
Democratic Republic of the Congo
Egypt
Eritrea
Ethiopia
Former Yugoslav Republic of Macedonia
Gambia
Ghana
Guinea
Guinea-Bissau
India
Iran
Iraq
Ivory Coast
Jamaica
Kenya
Kosovo
Lebanon
Lesotho
Liberia
Libya
Malawi
Moldova
Mongolia
Nepal
Nigeria
Pakistan

Palestinian Territories
Rwanda
Senegal
Serbia
Sierra Leone
Somalia
South Africa
South Sudan
Sri Lanka
Sudan
Swaziland
Syria
Tanzania
Turkey
Uganda
Vietnam
Yemen
Zimbabwe

SCHEDULE 2

Article 6

Revocations

<i>Orders Revoked</i>	<i>References</i>
The Immigration (Passenger Transit Visa) Order 2003	S.I. 2003/1185
The Immigration (Passenger Transit Visa) (Amendment) Order 2003	S.I. 2003/2628
The Immigration (Passenger Transit Visa) (Amendment) Order 2004	S.I. 2004/1304
The Immigration (Passenger Transit Visa) (Amendment) Order 2005	S.I. 2005/492
The Immigration (Passenger Transit Visa) (Amendment) Order 2006	S.I. 2006/493
The Immigration (Passenger Transit Visa) (Amendment) Order 2009	S.I. 2009/198
The Immigration (Passenger Transit Visa) (Amendment) (No. 3) Order 2009	S.I. 2009/1229
The Immigration (Passenger Transit Visa) (Amendment) (No. 4) Order 2009	S.I. 2009/1233

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Orders Revoked</i>	<i>References</i>
The Immigration (Passenger Transit Visa) (Amendment) Order 2011	S.I. 2011/1553
The Immigration (Passenger Transit Visa) (Amendment) Order 2012	S.I. 2012/116
The Immigration (Passenger Transit Visa) (Amendment) (No. 2) Order 2012	S.I. 2012/771
The Immigration (Passenger Transit Visa) (Amendment) Order 2014	S.I. 2014/1513

EXPLANATORY NOTE

(This note is not part of the Order)

This Order consolidates and amends the Immigration (Passenger Transit Visa) Order 2003 (the “2003 Order”). The 2003 Order requires certain passengers to hold a transit visa to pass through the United Kingdom, without entering the United Kingdom, while transiting to another country.

Article 2 defines a “transit passenger” as a person who on arrival in the United Kingdom passes through to another country or territory without entering the United Kingdom and is either a citizen or national of a country or territory listed in Schedule 1 (article 2(2)); a person holding a travel document issued by the purported “Turkish Republic of Northern Cyprus” (article 2(3)); or holds a non-biometric passport issued by the Republic of Venezuela. However, a person will not be a transit passenger if they have a right of abode in the United Kingdom; are a national of an EEA State; or are a national or citizen of China and hold a passport issued by either the Hong Kong Special Administrative Region or the Macao Special Administrative Region.

Article 3 imposes a requirement for transit passengers to hold a transit visa unless they are subject to an exemption in article 4.

Article 4 sets out the categories of documents which, if held by a transit passenger or on his behalf by a person with whom the transit passenger arrives in the United Kingdom, exempt the transit passenger from the requirement to hold a transit visa.

Article 5 provides that an application for a transit visa may be made to any British High Commission, Embassy or Consulate which accepts such applications.

Article 6 revokes previous orders relating to transit visas as part of the consolidation of the Immigration (Passenger Transit Visa) Order 2003 (as amended).