

The British-Irish Visa Scheme



Information Note

1. What is the British-Irish Visa Scheme?

The British-Irish Visa Scheme is a scheme which allows for short term travel between the UK and Ireland (including Northern Ireland), on the basis of a single visa, by nationals who are visa-required for the purpose of travel to or entrance into both jurisdictions.

The Scheme involves the mutual recognition by either jurisdiction of certain classes of visa issued by the other i.e. Ireland will accept a UK visa and vice versa.

2. Who can use the Scheme?

All persons who are visa-required to travel to or enter both Ireland and the UK, who hold a general, diplomatic, service or official passport, and who are required to provide biometric information (photo and fingerprints), unless otherwise exempt, as part of their visa application, will be able to use the Scheme.

The Scheme will be rolled out worldwide between autumn 2014 and 2016. It commenced in China on 28 October 2014, with India to follow soon afterwards.

3. What classes of visa are covered?

The following classes of visa come within the scope of the Scheme:

A) UK visas

Visas, endorsed with the coding 'BIVS', granted to persons seeking leave to enter or remain in the UK as defined in the Immigration Rules of the UK, except those seeking leave to enter as (i) a Visitor in Transit or (ii) a Visitor seeking to enter for the purpose of marriage or to enter a civil partnership.

B) Irish visas

All short-stay 'C' visas, single-entry or multiple-entry, issued for the following purposes of travel to Ireland:

- Visit (family/friend)
- Visit (tourist)
- Conference/Event
- Business

and endorsed with the coding 'BIVS'.

Visas endorsed with the coding 'BIVS' are described as 'eligible visas' for the purpose of this information note. All other classes of visa e.g. student visas, visas for family reunification are excluded from the scope of the Scheme.

4. If I wish to travel to the Common Travel Area, how will I know whether to apply for an Irish or a UK visa?

Whether you apply for an Irish or UK visa will depend on the first point of arrival in the Common Travel Area (transit through a jurisdiction shall not count as a first point of entry for this purpose). In other words, if first arrival is in the UK, then a UK visa should be applied for; if first arrival is in Ireland, then an Irish visa is required.

5. What if I just wish to visit either Ireland or the UK?

If you wish to visit just Ireland or the UK, then you should apply for the appropriate visa in the normal way. It will be endorsed with the 'BIVS' endorsement but this, of course, does not mean you have to use the visa for travel to the other country.

6. How long will I be able to stay in Ireland or the UK under the Scheme?

- (a) The maximum stay in Ireland allowed to someone with an eligible Irish visa is 90 days.
- (b) The maximum stay in the UK allowed to someone with an eligible UK visa is 180 days.
- (c) The maximum stay in Ireland allowed to someone with an eligible UK visa is 90 days or the remaining period of validity of the person's current leave to enter the United Kingdom, or, as the case may be, current leave to remain in the United Kingdom, whichever is the shorter.
- (d) The maximum stay in the UK allowed to someone with an eligible Irish visa is the remaining period of validity of the person's current permission to remain in Ireland, granted on arrival in Ireland and as evidenced by the appropriate stamp in their passport (N.B. not by the dates printed on the visa sticker itself which are the dates between which the visa may be used for initial travel to Ireland).

7. I am under 18 years of age. Can I use the scheme?

Persons under 18 years of age may use the scheme only if they are travelling in the company of an adult specified on the visa. Persons under 18 travelling unaccompanied are not covered by the scheme.

8. Can I re-enter the first country I arrived in after a visit to the other country?

Yes, re-entry to the country of first arrival is allowed under the Scheme.

9. How long will I be able to stay after re-entry to the first country of arrival?

- (a) The maximum stay in Ireland on re-entry on foot of an eligible Irish visa is the balance of the permission to remain granted on the last previous arrival in the State, on foot of the visa in question, prior to the visit to the UK.
- (b) The maximum stay in the UK on re-entry on foot of an eligible UK visa is the remaining period of validity of the person's current leave to enter the UK, or, as the case may be, current leave to remain in the UK.

10. Will I be able to travel home or to another country directly from either Ireland or the UK?

Yes, direct travel out of the Common Travel Area either to your home country or a third country is allowed from either jurisdiction.

11. What are the arrangements for travelling home or to another country from Ireland or the UK and transiting through the other country e.g. flying from Dublin but transiting through London?

If travelling on an eligible Irish visa, departing the Common Travel Area from Ireland and transiting the UK on departure, the date of permission to be in Ireland must be still valid, on transit through the UK, in order to qualify for an exemption to a UK transit visa (see 12 below).

If travelling on an eligible UK visa, departing the CTA from the UK and transiting Ireland on departure, you must be in possession of an Irish transit visa if you are a national of any of the countries listed in Appendix 1. All other nationalities may transit Ireland as long as they are in possession of permission and a travel ticket to their intended destination.

12. Will I be able to travel outside the Common Travel Area and back into it on the same visa?

- (a) If travelling on an eligible single-entry Irish Visa, once the Common Travel Area is left, the visa is no longer valid and may not be used for re-entry to either Ireland or the UK.

- (b) If travelling on an eligible multi-entry Irish Visa, re-entry to the Common Travel Area is allowed during the period of validity of the visa but the first country of arrival must be Ireland.
- (c) If travelling on an eligible UK Visa, re-entry is allowed to the UK during the period of validity of the UK visa or to Ireland during the period of validity of the UK visa and current leave to enter or remain in the UK.

13. Will I need a UK transit visa to transit through a UK airport to Ireland?

No, under the Scheme, an eligible Irish Visa i.e. one carrying the endorsement 'BIVS' will be accepted in lieu of a transit visa in the UK.

14. Will I need an Irish transit visa to transit through Ireland to the UK?

Until the rollout of the Scheme to the countries in question, nationals of the countries listed in Appendix 1 are required to be in possession of an Irish transit visa and a UK visa.

15. What if I arrive in the wrong country first i.e. in Ireland with a UK visa without having travelled to the UK?

If you arrive, holding an eligible visa, at a first port of entry into the Common Travel Area in the wrong jurisdiction i.e. not the one which issued the visa, either through genuine error or diversion of an aircraft, the immigration authorities shall decide, on a case by case basis, whether to grant you permission to enter.

If permission to enter is not granted, arrangements will be made, in cases of genuine error or diversion, for travel to the correct jurisdiction i.e. the one which issued the visa, as soon as possible.

Where you arrive, holding an eligible visa, at a first port of entry into the Common Travel Area in the wrong jurisdiction i.e. not the one which issued the visa and it is determined by the relevant immigration authorities that you have not arrived there due to genuine error or diversion of an aircraft, you may be removed directly to where you originally started your journey.

16. I can travel to the UK without a visa on the Electronic Visa Waiver Scheme. Will I be able to travel to Ireland also without the need for an Irish visa?

Nationals of some Oman, Qatar and the United Arab Emirates may enter the UK as a visitor without a visa on the basis of an Electronic Visa Waiver document and presentation of a printed copy of that document on arrival in the UK. Ireland intends to grant a similar facility as soon as it is practicable. In the meantime, Oman, Qatar and the United Arab Emirates nationals may continue to use the Irish Short-stay Visa Waiver Programme (until its expiry on 31 October 2016) to travel on to Ireland from the UK without the need for an Irish visa.

Nationals of those countries arriving in Ireland (with an Irish visa) will continue to require an Electronic Visa Waiver or a valid visitor visa to travel onwards to the UK.

17. What activities are permitted in each country under the Scheme?

If you have an eligible visa you can undertake the specified activities allowed, under the purpose for which the visa was granted, in the jurisdiction which granted the visa. You can use that visa to visit the other jurisdiction for the purposes of tourism, visits to family/friends or business no matter what the original purpose for which the visa was granted. Persons cannot engage in an occupation for reward or employment under the Scheme.

18. I am from a country that is visa required in the UK but not in Ireland, or vice versa. What do I need to travel to and around the Common Travel Area?

The Scheme will not apply to countries whose nationals are not visa-required in both jurisdictions e.g. South Africa. Such nationals will need to continue to ensure that they are in possession of the appropriate permission to travel to or enter the jurisdiction for which they are visa-required. Existing rules regarding movement within the CTA for such nationals are unaffected by the Scheme.

However, it will remain the case that such persons will be able to travel to the Common Travel Area on the basis of a single visa.

19. Are there circumstances where my visa will not be endorsed with the 'BIVS' endorsement and, therefore, not eligible for use under the Scheme?

Yes, each jurisdiction maintains the decision-making power in relation to applications for visas to travel to or enter their jurisdiction as first point of entry into the Common Travel Area, and may decide not to enter the 'BIVS' endorsement for a number of reasons e.g. if you are subject to an exclusion order from the other country.

20. Can I appeal against a refusal to grant me a 'BIVS' endorsement?

No, there is no appeal mechanism. Appeals against refusal to grant a visa may, of course, be made to the relevant jurisdiction in the normal way.

3. Travel from Ireland to the UK on an eligible Irish visa

The traveller holds an Irish visa with the endorsement 'BIVS' and has current permission to remain in Ireland as shown in the relevant stamp in their passport (stylised version shown above). Travel must be within the number of days specified after 'Date of Arrival'.

4. Travel from Ireland to the UK on an eligible UK visa i.e. return to the UK following a visit to Ireland

The traveller holds a valid UK visa with the endorsement 'BIVS' and has current leave to land or enter the UK

5. Travel from the UK directly to a third country

The traveller has the appropriate travel permission for the destination country.

6. Travel from Ireland directly to a third country

The traveller has the appropriate travel permission for the destination country.

7. Travel from the UK to a third country and transiting Ireland

The traveller has the appropriate travel permission for the destination country and, in the case of the countries listed in Appendix 1, an Irish transit visa.

8. Travel from Ireland to a third country and transiting the UK

The traveller has the appropriate travel permission for the destination country and current permission to remain in Ireland as shown in the relevant stamp in their passport (stylised version shown above). Travel must be within the number of days specified after 'Date of Arrival' i.e. an Irish visa, endorsed with 'BIVS' combined with current permission to remain acts as an exemption to the UK transit visa requirement.

9. Travel from a third country directly to Ireland or the UK

The traveller must have a valid visa for the country of first arrival.

Note: re-entry to the Common Travel Area (CTA) of Ireland and the UK is not permitted on an Irish visa even if the date of travel falls within the permission to remain as stamped in the passport i.e. the validity of an Irish visa lapses on exit from the CTA.

Re-entry to the CTA via the UK is allowed on a UK visa as long as it is within its period of validity and via Ireland as long as the UK visa is within its period of validity and the person has current leave to enter or remain in the UK.

N.B. Nothing in the above affects the arrangements under the Irish Short-stay Visa Waiver Programme until its expiry date on 31 October 2016. Therefore, holders of long-term UK visas, from the countries covered by that Programme, may continue to use those visas for travel from the UK to Ireland, under the conditions of the Programme, but without the need for a 'BIVS' endorsement.

Appendix 1 – List of countries which require a transit visa to transit Ireland

Afghanistan

Albania

Cuba

Democratic Republic of the Congo

Eritrea

Ethiopia

Ghana

Iran

Iraq

Lebanon

Moldova

Nigeria

Somalia

Sri Lanka

Zimbabwe

Appendix 2 – Scenarios

A- UK visa holder arriving in Ireland

1. Holder of ‘BIVS’ endorsed UK visa arrives in Ireland after 10 days in UK

May be granted up to 90 days permission to be in Ireland or until the expiry of the current permission to enter/remain in the UK, whichever is the shorter
2. Holder of ‘BIVS’ endorsed UK visa arrives in Ireland after 100 days in UK

May be granted up to 80 days permission to be in Ireland (180 days minus 100 days) or until the expiry of the current permission to enter/remain in the UK, whichever is the shorter
3. Holder of ‘BIVS’ endorsed UK visa also endorsed with ‘C – VISIT - Child accompanied [passport number]’ arrives in Ireland after 50 days in UK

May be granted up to 90 days permission to be in Ireland or until the expiry of the current permission to enter/remain in the UK, whichever is the shorter, but only if accompanied by adult bearing passport with passport number printed on visa
4. Holder of ‘BIVS’ endorsed UK visa arrives in Ireland after 30 days in the UK and 20 days in France

May be granted up to 90 days leave to remain in Ireland or until the expiry of the current leave to enter/remain in the UK, whichever is the shorter
5. Holder of ‘BIVS’ endorsed UK visa arrives in Ireland after 100 days in UK and 30 days in France

May be granted leave to remain in Ireland up to the expiry of the current leave to enter/remain in the UK
6. Holder of ‘BIVS’ endorsed UK visa arrives in Ireland after 30 days in UK, 10 days in Ireland and 20 days in France

May be granted up to 90 days leave to remain in Ireland or until the expiry of the current leave to enter/remain in the UK, whichever is the shorter (i.e. 10 days spent previously in Ireland not taken into account as it is a new arrival)
7. Holder of ‘BIVS’ endorsed UK visa arrives in Ireland after 100 days in UK, 10 days in Ireland and 20 days in France

May be granted leave to remain in Ireland up to the expiry of the current leave to enter/remain in the UK (as for scenario 6 above)

B – UK visa holder arriving back in UK from Ireland [Note: this journey will not normally be subject to border control checks so these scenarios are advisory]

8. Holder of 'BIVS' endorsed UK visa arrives back in UK after 10 days in UK and 10 days in Ireland

Maximum permission to be in the UK is up to the expiry of the current leave to enter/remain in the UK (A maximum of 160 days i.e. 180 days minus 10 days minus 10 days)

9. Holder of 'BIVS' endorsed UK visa arrives back in UK after 10 days in UK and 80 days in Ireland

Maximum permission to be in the UK is up to the expiry of the current leave to enter/remain in the UK (A maximum of 90 days i.e. 180 days minus 10 days minus 80 days)

C- Irish visa holder arriving in UK

10. Holder of 'BIVS' endorsed Irish visa arrives in UK after 10 days in Ireland

May be granted up to 80 days permission to be in the UK (90 days minus 10 days)

11. Holder of 'BIVS' endorsed Irish visa arrives in UK after 80 days in Ireland

May be granted up to 10 days permission to be in the UK (90 days minus 80 days)

12. Holder of 'BIVS' endorsed Irish visa also endorsed with '[Purpose of visit] - Child accompanied [passport number]' arrives in UK after 50 days in Ireland

May be granted up to 40 days permission to be in the UK (90 days minus 50 days) but only if accompanied by adult bearing passport with passport number printed on visa.

D – Irish visa holder arriving back in Ireland from UK

13. Holder of 'BIVS' endorsed Irish visa arrives back in Ireland after 10 days in Ireland and 30 days in UK

May be granted up to 50 days leave to be in Ireland (90 days minus 10 days minus 30 days)

14. Holder of 'BIVS' endorsed Irish visa arrives back in Ireland after 10 days in Ireland and 70 days in UK

May be granted 10 days leave to be in Ireland (90 days minus 10 days minus 70 days)