
STATUTORY INSTRUMENTS

2020 No. 1353

The Immigration (Leave to Enter and Remain) (Amendment) (EU Exit) Order 2020

Amendment of the Immigration (Leave to Enter and Remain) Order 2000

2.—(1) The Immigration (Leave to Enter and Remain) Order 2000⁽¹⁾ is amended as follows.

(2) In article 1 (citation, commencement and interpretation), in paragraph (3), after the definition of “responsible third party”, insert—

““Service Provider from Switzerland visa” means an entry clearance granted for the purpose of entry to the United Kingdom under the appendix to the immigration rules entitled “Appendix Service Providers from Switzerland”⁽²⁾

(3) In article 4 (extent to which Entry Clearance is to be Leave to Enter), after paragraph (2D), insert—

“(2E) A Service Provider from Switzerland visa shall have effect as leave to enter the United Kingdom on an unlimited number of occasions during its period of validity, in accordance with paragraph (2F).

(2F) On arrival in the United Kingdom on each occasion, the holder shall be treated for the purposes of the Immigration Acts as having been granted, before arrival, leave to enter the United Kingdom for a limited period beginning on the date of arrival, being:

- (a) 90 days if 90 days or more remain of the entry clearance’s period of validity; or
- (b) the entry clearance’s remaining period of validity, if less than 90 days.”.

(4) In article 8 (oral grant or refusal of leave), in paragraph (2)—

- (a) in sub-paragraph (b), at the end, omit “or”;
- (b) in sub-paragraph (c), at the end, insert—

“, or

(d) an S2 Healthcare Visitor⁽³⁾ for a period not exceeding six months.”.

(5) In article 8B (further provision as to automatic grant of leave)—

(a) after paragraph (1), insert—

“(1A) The Schedule to this Order has effect.”;

(b) in paragraph (2)—

- (i) in sub-paragraph (a), for the words “Australia” to “America” insert “a country listed in the Schedule”;
- (ii) in sub-paragraph (b), for “sub-paragraph (a)” substitute “the Schedule”;

(1) [S.I. 2000/1161](#); relevant amending instruments are [S.I. 2010/957](#), [2013/1749](#), [2015/434](#), [2016/1132](#) and [2019/298](#).
(2) The United Kingdom immigration rules were laid before Parliament on 23rd May 1994 (HC 395) and have been subsequently amended. The only relevant amendment was made by the Statement of Changes in Immigration Rules laid before Parliament on 22 October 2020 (HC 813), which added Appendix Service Providers from Switzerland.
(3) Appendix S2 Healthcare Visitor was added by the Statement of Changes in Immigration Rules laid before Parliament on 22 October 2020 (HC813).

- (iii) in sub-paragraph (d), at the end, insert “or as an S2 Healthcare Visitor under Appendix S2 Healthcare Visitor of the immigration rules.”;
- (c) after paragraph (2), insert—
 - “(2A) This article also applies to a person who—
 - (a) is a national of Ireland;
 - (b) is travelling on a passport issued by Ireland;
 - (c) is aged 12 or above; and
 - (d) is seeking to enter the United Kingdom as an S2 Healthcare Visitor under Appendix S2 Healthcare Visitor of the immigration rules.”.
- (6) After article 8B, insert—

“Leave to be regarded as having been given before arrival

8C. Leave to enter that is obtained by a person passing through an automated gate in accordance with article 8A or 8B shall be regarded, for the purposes of the Act, as having been given before that person’s arrival in the UK.”

- (7) In article 13 (leave which does not lapse on travel outside common travel area), in sub-paragraph (2)(a), after “visa” insert “or Service Provider from Switzerland visa”.
- (8) At the end, insert—

“SCHEDULE

Article 8B(1A)

Countries the nationals of which may obtain leave by passing through an automated gate

Australia
Austria
Belgium
Bulgaria
Canada
Croatia
Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Iceland
Italy
Japan
Latvia
Liechtenstein

Lithuania
Luxembourg
Malta
Netherlands
New Zealand
Norway
Poland
Portugal
Romania
Singapore
Slovakia
Slovenia
South Korea
Spain
Sweden
Switzerland
United States of America.”.