
STATUTORY INSTRUMENTS

2005 No. 492

IMMIGRATION

**The Immigration (Passenger Transit
Visa) (Amendment) Order 2005**

<i>Made</i>	- - - -	<i>4th March 2005</i>
<i>Laid before Parliament</i>		<i>8th March 2005</i>
<i>Coming into force</i>	- -	<i>9th March 2005</i>

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

1. This Order may be cited as the Immigration (Passenger Transit Visa) (Amendment) Order 2005 and shall come into force on 9th March 2005.

2.—(1) The Immigration (Passenger Transit Visa) Order 2003⁽²⁾ shall be amended as follows.

(2) In article 3A⁽³⁾:

(a) in paragraph (1)(a)⁽⁴⁾ for “Canada or the United States of America” there shall be substituted “Australia, Canada, New Zealand or the United States of America”;

(b) after paragraph (1)(a) there shall be inserted:

“(ab) a valid visa for entry to Australia, Canada, New Zealand or the United States of America and a valid airline ticket for travel via the United Kingdom as part of a journey from the country in respect of which the visa is held to another country or territory;” and

(c) for paragraph (1)(b)⁽⁵⁾ there shall be substituted:

“(b) a valid airline ticket for travel via the United Kingdom as part of a journey from Australia, Canada, New Zealand or the United States of America to another country or territory, provided that the transit passenger does not seek to travel via the United Kingdom on a date more than six months from the date on which he last entered Australia, Canada, New Zealand or the United States of America with a valid visa for entry to that country;”

(1) 1999 c. 33.

(2) S.I. 2003/1185. Relevant amendments made by S.I. 2003/2628 and S.I. 2004/1304.

(3) Article 3A was inserted by S.I. 2003/2628.

(4) Paragraph (1)(a) was amended by S.I. 2004/1304.

(5) Paragraph (1)(b) was substituted by S.I. 2004/1304.

Status: This is the original version (as it was originally made).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

(3) In Schedule 1:

- (a) after “Colombia” there shall be inserted “Congo”;
- (b) after “Ghana” there shall be inserted “Guinea” and “Guinea-Bissau”; and
- (c) after “Moldova” there shall be inserted “Mongolia”.

Home Office
4th March 2005

Des Browne
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Immigration (Passenger Transit Visa) Order 2003 (“the 2003 Order”). The 2003 Order requires, subject to certain exemptions, a transit passenger (as defined) to obtain a transit visa when passing through the United Kingdom from one country or territory on his way to another country or territory.

Article 3A of the 2003 Order lists the exemptions from the requirement for a transit passenger to hold a transit visa.

Article 2(2)(a) of this Order adds Australia and New Zealand to the exemption in article 3A(1)(a) of the 2003 Order. Accordingly, if an individual holds, or a person with whom he arrives in the United Kingdom holds on his behalf, a valid visa for entry to Australia or New Zealand and a valid airline ticket for travel via the United Kingdom as part of a journey from another country or territory to the country in respect of which the visa is held, he will not require a transit visa to pass through the United Kingdom.

Article 2(2)(b) of this Order inserts into article 3A of the 2003 Order a new exemption from the requirement for a transit passenger to hold a transit visa. This provides that if an individual holds, or a person with whom he arrives in the United Kingdom holds on his behalf, a valid visa for entry to Australia, Canada, New Zealand or the United States of America and a valid airline ticket for travel via the United Kingdom as part of a journey from the country in respect of which the visa is held to another country or territory, he will not require a transit visa to pass through the United Kingdom.

Article 2(2)(c) of this Order adds Australia and New Zealand to the exemption in article 3A(1)(b) of the 2003 Order. Accordingly, if an individual holds, or a person with whom he arrives in the United Kingdom holds on his behalf, a valid airline ticket for travel via the United Kingdom as part of a journey from Australia or New Zealand to another country or territory, provided he does not seek to travel via the United Kingdom on a date more than six months from the date he last entered Australia or New Zealand with a valid visa for entry to that country, he will not require a transit visa to pass through the United Kingdom.

Finally, article 2(3) of this Order adds Congo, Guinea, Guinea-Bissau and Mongolia to the countries listed in Schedule 1 to the 2003 Order, the nationals or citizens of which must have a transit visa in order to pass through the United Kingdom.