
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes various amendments to the Immigration (Leave to Enter and Remain) Order 2000 (“the 2000 Order”).

Article 4 of the 2000 Order provides for the extent to which entry clearance documents, which satisfy the requirements in article 3, have effect as leave to enter under article 2. This Order amends article 4 to enable short term biometric entry clearance documents issued to overseas applicants for biometric immigration documents to have effect as leave to enter the United Kingdom.

Article 13 of the 2000 Order makes provision for certain types of leave to enter or remain not to lapse on leaving the common travel area, unless a person remains outside the United Kingdom for a continuous period of more than two years. Article 2(5) inserts a new article 13A in the 2000 Order such that any period spent by the partner or child accompanying a member of HM Forces overseas will not count towards the calculation of that two year period (such that if the posting lasts more than two years and the partner or child does not return to the UK during that time, their leave will not lapse).

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.