



# Global Immigration alert

September 2024

## United Kingdom

### Statement of Changes to the Immigration Rules

#### Executive summary

On 10 September 2024, the UK government published a [Statement of Changes](#) to the Immigration Rules (HC 217), which implemented changes to the UK Electronic Travel Authorization (ETA) Scheme and introduced amendments to the EU Settlement Scheme (EUSS), among other changes.

#### Implementation of the UK ETA scheme

On 25 October 2023, the UK ETA scheme was launched. According to the scheme, some individuals traveling to the UK without a visa are required to obtain an ETA before entering the UK. [Appendix ETA](#) sets out the detailed provisions relating to eligibility for an ETA, including who is subject to this requirement. A change is being made to the Appendix ETA to extend the requirement to nationals of all countries who can currently travel to the UK without a visa and it sets out the date from which the requirement applies.

Currently, the ETA scheme applies to nationals of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates. Over the following months, the ETA scheme will open to nationals of all other countries in two phases:

- ▶ Eligible non-Europeans can apply as of 27 November 2024 for travel to the UK on or after 8 January 2025.
- ▶ Eligible individuals can apply from 5 March 2025 to travel to the UK from 2 April 2025. This will include nationals of Andorra, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia,

Slovenia, Spain, Sweden, Switzerland and Vatican City. Applicants who reside lawfully in the Republic of Ireland and travel to the UK from elsewhere in the Common Travel Area do not need to obtain an ETA.

An [Appendix ETA National List](#) will be inserted into the Immigration Rules, to set out the remaining rollout for nationals of all countries to be onboarded onto the ETA scheme.

The ETA suitability criteria has also been expanded to include two additional suitability grounds:

- ▶ Individuals who have previously been refused a UK visit visa or permission to enter the UK as a visitor will be refused an ETA, unless a visit visa has been granted subsequently to the refusal or a valid permission was held and not canceled as a result of the refusal.
- ▶ A further change will allow for refusal where the applicant has previously had an ETA canceled for reasons not relating to suitability. Individuals who have their ETA canceled and are refused admission at the border are not eligible for an ETA and are instead directed to apply for a visa.

#### New Visa regime for Jordanian nationals

A new visa regime has been implemented for nationals of Jordan, with immediate effect. The imposition of the visa regime includes a transition period for Jordanian nationals to travel to the UK without a visa if they hold a valid ETA and confirmed travel booking prior to 15:00 BST on 10 September 2024, and their arrival to the UK is no later than 15:00 BST on 8 October 2024.

Those who do not meet these conditions will require a visa. As a result of these changes, Appendix ETA will be amended to remove Jordan from the list of nationals who are eligible for the scheme.

### **End of Diplomatic Visa Waivers and introduction of new Diplomatic Visa Arrangement**

A new Diplomatic Visa route, which will replace the current Diplomatic Visa Waivers (DVW) will be implemented in the first quarter of 2025. DVW allow diplomatic passport holders from some visa national countries to visit the UK without obtaining a visitor visa in advance of travel.

The new Diplomatic Visa Arrangement (DVA) aims to support and facilitate official travel to the UK but will also enable DVA visitors to undertake a range of standard visitor activities. Successful applicants will normally be issued a two-year multi-entry visit visa, with a maximum stay of six months per visit. There will be a three-week transition period between the introduction of DVA and the withdrawal of DVW to ensure that those applying for DVA visas have sufficient time to obtain a visa prior to the withdrawal of DVW. The introduction of the DVA Visa will come into effect on 18 February 2025 and associated changes to end DVW will come into effect on 11 March 2025.

### **Introduction of the VIP Delegate Visa**

A new visa route has been launched for delegates accompanying Heads of State and government ministers visiting the UK on official government business. The upper limit for the number of applicants eligible for this new route will be set at 20 for Heads of State delegations and 10 for ministerial delegations. The implementation of the VIP Delegate Visa will come into effect on 10 October 2024.

### **Changes to the EU Settlement Scheme (EUSS)**

The main changes with respect to the Immigration Rules for the EUSS go into effect on 8 October 2024 and are as follows:

- ▶ To refer to the scope for the Secretary of State to automatically convert pre-settled status to settled status where the person qualifies for this and without the need for them to make a further valid application
- ▶ To enable a child applying to the EUSS who was a resident of the UK before the end of the transition period and has turned 21 years of age since then to rely on the fact that they were under the age of 21 at the end of the transition period and therefore do not need to meet a requirement as to dependency on their parent(s)
- ▶ To enable pre-settled status to be curtailed (subject to a right of appeal) for helping a person after the end of the transition period to obtain, or to attempt to obtain, EUSS leave or an EUSS family permit fraudulently
- ▶ To enable an EEA or Swiss national applying as a family member who has retained the right of residence in the UK, following the death or divorce of the relevant national who was a resident of the UK before the end of the transition period, to meet simpler criteria

### **Impact on employers**

Eligible travelers to the UK may consider applicable ETA deadlines as per their nationality to ensure compliance with the ETA requirements. In connection with the EUSS and automatic conversions to settled status, organizations that employ eligible individuals will be positively impacted as they will be able to more easily retain these individuals, who will gain further evidence of their right to work and reside permanently in the UK.

### **Key steps**

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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