Draft Order laid before Parliament under section 3A(13) of the Immigration Act 1971, for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2018 No. XXXX

IMMIGRATION

The Immigration (Leave to Enter and Remain) (Amendment) Order 2018

Made - - - - ***

Coming into force in accordance with article 1

The Secretary of State makes the following Order in exercise of the powers conferred by section 3A(1), (2) and (7) of the Immigration Act 1971(**a**).

In accordance with section 3A(13) of that Act, a draft of this Order was laid before and approved by a resolution of each House of Parliament.

Citation and commencement

1. This Order may be cited as the Immigration (Leave to Enter and Remain) (Amendment) Order 2018 and comes into force on the twenty-first day after the day on which it is made.

Amendments to the Immigration (Leave to Enter and Remain) Order 2000

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

3. In article 8ZC (notice not given), after "in accordance with article 8A" insert "or 8B".

4. After article 8A (automatic grant of leave) insert–

"**Further provision as to automatic grant of leave**

8B.—(1) A person to whom this article applies may obtain leave to enter the United Kingdom by passing through an automated gate.

(2) This article applies to a person who–

(a) is a national of Australia, Canada, Japan, New Zealand, Singapore, South Korea or the United States of America;

(b) is travelling on a passport issued by one of the countries listed in sub-paragraph (a);

(c) is aged 12 or above; and

(**a**) 1971 c. 77. Section 3A was inserted by section 1 of the Immigration and Asylum Act 1999 (c. 33).
(**b**) S.I. 2000/1161; relevant amendments were made by S.I. 2010/957, 2013/1749, 2015/434 and 2016/1132.

(d) is seeking to enter the United Kingdom as a visitor (standard) under Appendix V to the immigration rules.

(3) Leave under paragraph (1) is given for a period of six months.

(4) Such leave is subject to conditions prohibiting employment and recourse to public funds (within the meaning of the immigration rules)."

Name
Minister of State
Home Office

Date

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Immigration (Leave to Enter and Remain) Order 2000 (S.I. 2000/1161) ("the 2000 Order").

Article 4 inserts a new article 8B into the 2000 Order. This enables a person who meets the description in the article to obtain leave to enter the United Kingdom as a visitor by passing through an automated gate with no authorisation by an immigration officer. Where such a person passes through an automated gate, the person will automatically be given leave to enter for six months (subject to the conditions set out in article 8B). Where such leave is given, no notice of leave is given to the person and the 2000 Order is amended to reflect this.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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