EXPLANATORY MEMORANDUM TO

THE IMMIGRATION (PASSENGER TRANSIT VISA) (AMENDMENT) (NO. 3) ORDER 2025

2025 No. 1068

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Mike Tapp MP, Minister for Migration and Citizenship at the Home Office, confirms that this Explanatory Memorandum meets the required standard.

2.2 John Brocklehurst, Deputy Director for Visits, Visa and Trade Policy at the Home Office, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Jack Watkinson at the Home Office can be contacted by email at the following address with any queries regarding the instrument: Jack.Watkinson5@homeoffice.gov.uk. Alternatively, the department can be contacted by telephone: 020 7035 4848.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument replaces 'Palestinian Territories' with 'Palestine' in the list of countries or territories whose nationals or citizens need a Direct Airside Transit Visa ('DATV') if they intend to transit airside through the UK while travelling to another country. Transit passengers who hold a document listed at article 4 of the Immigration (Passenger Transit Visa) Order 2014 (S.I. 2014/2702) ("the 2014 Order") are exempt from the requirement to hold a DATV, and this provision is not being changed.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction which the instrument forms part of the law of) is all of the United Kingdom.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is all of the United Kingdom.

5. Policy Context

What is being done and why?

5.1 In September 2025, the UK announced its formal recognition of the State of Palestine. To reflect this recognition and to ensure that the UK maintains its requirement for non-exempt Palestinian nationals to obtain a visa to transit airside through the UK, 'Palestinian Territories' is being replaced by 'Palestine'. Non-exempt citizens of the Palestinian Territories were already required to obtain a DATV, and so this is not a

new requirement. It is rather an update to maintain this requirement while reflecting the UK's recognition of the State of Palestine.

5.2 This amendment is being made in parallel to changes to the Immigration Rules to include Palestine in the Immigration Rules Appendix Visitor: Visa National List.

5.3 By amending the 2014 Order to name the newly recognised State of Palestine, non-exempt nationals seeking to transit airside through the UK will continue to be required to apply for a DATV, which means they can continue to be assessed in advance of arrival. This is necessary to protect the UK's border and national security and to deliver on the Government's decision to recognise the State of Palestine.

What was the previous policy, how is this different?

5.4 Non-exempt nationals of Palestine will be required to obtain a DATV in order to transit airside through the UK to an onward destination. As non-exempt nationals of the Palestinian Territories were already required to obtain a DATV, this is not a new requirement for these individuals. The sole change is the updated designation in the 2014 Order to correspond to the UK's recognition of the State of Palestine.

6. Legislative and Legal Context

How has the law changed?

6.1 Prior to recognition, non-exempt nationals of the Palestinian Territories were already required to obtain a visa prior to transiting airside through the UK. The present instrument ensures the continuity of this visa requirement, while accounting for the UK's recognition of the State of Palestine in September 2025, by replacing 'Palestinian Territories' with 'Palestine' in Schedule 1 to the 2014 Order. This change preserves the DATV requirement for non-exempt nationals of the newly recognised State of Palestine, which means that these nationals will continue to require a visa prior to transiting airside through the UK.

Why was this approach taken to change the law?

6.2 This is the only possible approach to make the necessary changes.

7. Consultation

Summary of consultation outcome and methodology

7.1 The UK Government has undertaken extensive consultation on its decision to recognise the State of Palestine. This change flows from that decision. It is technical in nature and does not require further consultation.

8. Applicable Guidance

8.1 The change will be reflected in all applicable guidance for Border Force and UK Visas and Immigration[1], as well as on gov.uk[2], following the entry into force of this amendment on 11 November 2025.

1 https://assets.publishing.service.gov.uk/media/689610139c63e0ee87656a3b/UK+Visa+requirements+April+2025.pdf

2 https://www.gov.uk/check-uk-visa
https://visa-fees.homeoffice.gov.uk/y

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because this amendment is designed to ensure continuity in our visa policy. As such, we do not anticipate that it will lead to any significant changes or impact, and so it would not be proportionate to conduct a formal impact assessment.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies because this amendment is principally technical in nature and will have little to no practical impact on these sectors.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no, or no significant, impact on the public sector because this amendment is principally technical in nature and will have little to no practical impact on this sector.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The UK Government keeps visa requirements under regular review.

10.2 The instrument does not include a statutory review clause.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").