



Home Office

Suitability: Admissibility to the Common Travel Area or other countries

Version 4.0

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About this guidance

This guidance is for decision makers assessing:

- whether an application for entry clearance or permission to enter should be refused on the grounds that the applicant is seeking entry to the UK with the intention of entering another part of the Common Travel Area, but they are not acceptable to the Immigration authorities there
- whether an application for entry clearance, permission to enter or permission to stay should be refused as the applicant will not be admitted to another country after a stay in the UK

This guidance does not apply to applications under the following:

- [Appendix FM](#)
- [Appendix Private Life](#)
- [Appendix Settlement Family Life](#)
- [Appendix AF](#), except paragraph 9.10.2 applies to applications under part 9, 9A or 10 of Appendix AF
- [Appendix EU](#)
- [Appendix EU \(Family Permit\)](#)
- [Appendix Domestic Worker who is a Victim of Modern Slavery](#)
- [Part 11 \(Asylum\)](#)
- ECAA Association Agreement
- [Appendix ECAA Extensions of Stay](#)
- [Appendix S2 Healthcare Visitor](#)
- [Appendix Service Providers from Switzerland](#)
- [Appendix Adult Dependent Relative](#)

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you, or you think that the guidance has factual errors, then email CTA policy team, Visa policy team or Border Force Secretariat.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version **4.0**
- published for Home Office staff on **1 June 2023**

Changes from last version of this guidance

Appendix 'Adult Dependent Relative' added in the 'About this guidance' section.

Related content

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Intention to enter another part of the Common Travel Area

Paragraph 9.10.1 of [Part 9 of the Immigration Rules](#) sets out that an application for entry clearance or permission to enter must be refused where a person is seeking entry to the UK with the intention of entering another part of the Common Travel Area and fails to satisfy the decision maker that they are acceptable to the immigration authorities there. This is a mandatory ground for refusal, which means that you must refuse entry if you are not satisfied regarding the individual's admissibility.

The Common Travel Area

The Common Travel Area (CTA) is a long-standing arrangement between the UK, the Crown Dependencies (Bailiwick of Jersey, Bailiwick of Guernsey and the Isle of Man) and Ireland that pre-dates both British and Irish membership of the EU and is not dependent on it.

Paragraph 15 of [Part 1 of the Immigration Rules](#) states that the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland collectively form a common travel area. A person who has been examined for the purpose of immigration control at the point at which they entered the area does not normally require leave to enter any other part of it.

It was developed to facilitate the principle of free movement for British and Irish citizens between the UK, Ireland and the islands. There are no routine passport controls on routes from within the CTA to the UK. The UK approach, based on the UK legal framework, is for border checks to be undertaken at the first point of entry to the CTA.

Under the CTA, British and Irish citizens can move freely and reside in either jurisdiction and enjoy associated rights and privileges, including the right to work, study and vote in certain elections, as well as to access social welfare benefits and health services.

Considering whether a person seeking entry to the UK will be acceptable to the immigration authorities in the CTA

There are various reasons why you must refuse entry clearance or permission to enter the UK to someone who intends to enter another part of the CTA. For example, you may believe that an individual intending to travel to the Isle of Man to work will be refused entry by the authorities there because they do not have the necessary worker visa. Alternatively, you may find that they have a refusal stamp from the part of the CTA to which they intend to travel. You should check case working systems, information on the application form and any other available evidence, including the person's travel or immigration history.

If considering refusal of entry clearance or permission to enter the UK, you should contact the appropriate authority in whichever part of the CTA the individual intends to travel to. For details of who to contact in each place, see the contact details section of the Common travel area guidance.

Where the authority is contacted by telephone and indicates that the individual is not acceptable, the request for advice and the reply should be confirmed in writing, for example in a follow-up email, and you must attach this correspondence to the Documents tab of the Proviso record. The message should contain full details of the case and refusal must be approved by a Border Force higher officer or entry clearance manager. Both the request for advice and reply must be available for production in the event of a challenge.

There will be cases where a person seeking to travel to Ireland or the Islands has all the required documents for admission there, but it is suspected that they have no intention of going there or that they intend re-entering the UK without examination by an immigration officer. In such cases the appropriate authorities may be able to make a statement as to whether or not a passenger is acceptable to them but you may still be satisfied refusal of permission to enter the UK is appropriate. In such cases the officer's examination should be directed at establishing the passenger's real intentions, and where refusal of leave to enter is justified, but paragraph 9.10.1 of Part 9 cannot be used as the grounds for refusing entry.

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Considering whether a person will be able to return to another country after a stay in the UK

Paragraph 9.10.2 of [Part 9 of the Immigration Rules](#) sets out that an application for entry clearance, permission to enter or permission to stay may be refused where a person seeking entry fails to satisfy the decision maker that they will be admitted to another country after a stay in the UK. This is a discretionary ground for refusal, which means that you need to consider whether the circumstances of the case justify allowing or refusing entry.

One reason why an individual may not be admitted to another country after their stay in the UK is because some countries apply restrictions on the length of time their nationals can spend abroad. This can also apply to residents of those countries who hold non-national travel documents.

To decide whether an applicant can return to another country, you must check the validity of:

- the passport or travel document
- returning visa or exit permit (if applicable)

In applications for permission to enter, you must consider whether it is appropriate to grant the person a limited period of permission to enter. You must take the date when return is possible (returnability) as the expiry date of the document or visa (whichever ends first). If this is not applicable, or appropriate, you should consider whether it is appropriate to refuse permission to enter.

However, you may feel that the individual's particular circumstances justify granting permission to enter. For example, they may be seeking asylum, or they may have permission on a route which leads to settlement and there is no expectation that they will need to leave the UK.

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Decision notice

You must fully explain the reasons for the decision, including the evidence that was considered.

Example refusal wording: not satisfied acceptable to immigration authorities in CTA

You have applied for entry clearance/permission to enter the UK with the intention of making an onward journey to [insert place] which is in the Common Travel Area.

I have carefully considered the circumstances of your case. Your application is refused because I am not satisfied that you will be acceptable to the immigration authorities in [insert place] because [insert reasons for refusal.]

Example refusal wording: not satisfied returnable to another country

You have applied for [entry clearance for/permission to enter/stay] in the UK as [insert category] but I am not satisfied that you will be returnable to another country after a stay in the UK.

I have carefully considered the circumstances of your case and have decided it is appropriate to refuse your application because [reasons including what evidence has been considered and why refusal is appropriate].

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