

STATEMENT OF CHANGES IN IMMIGRATION RULES

*Laid before Parliament on 2 April 1996 under section 3(2) of
the Immigration Act 1971.*

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STATEMENT OF CHANGES IN IMMIGRATION RULES

The Home Secretary has made the changes hereinafter stated in the rules laid down by him as to the practice to be followed in the administration of the Immigration Act 1971 for regulating entry into and the stay of persons in the United Kingdom and contained in the Statement laid before Parliament on 23 May 1994 (HC 395), as amended. The amending statements were laid before Parliament on 20 September 1994 (Cmnd 2663), 26 October 1995 (HC 797), 4 January 1996 (Cmnd 3073) and 7 March 1996 (HC 274).

These changes take effect on 4 April 1996 except for the change contained in paragraph 2 which takes effect on 3 June 1996.

1. In paragraph 6 of HC 395—

- (a) for the definition of “public funds”, there shall be substituted:

““**public funds**” means

(a) housing under Part III of the Housing Act 1985, Part II of the Housing (Scotland) Act 1987 or Part II of the Housing (Northern Ireland) Order 1988;

(b) attendance allowance, severe disablement allowance, invalid care allowance and disability living allowance under Part III of the Social Security Contributions and Benefit Act 1992 or Part III of the Social Security Contributions and Benefits (Northern Ireland) Act 1992; and

(c) income support, family credit, council tax benefit, disability working allowance and housing benefit under Part VII of the Social Security Contributions and Benefits Act 1992 or Part VII of the Social Security Contributions and Benefits (Northern Ireland) Act 1992”; and

- (b) for the definition of “Department of Employment”, there shall be substituted:

““**Department of Employment**” means the Department for Education and Employment and includes, where appropriate, the equivalent Government Department for Northern Ireland.”.

2. At the end of paragraph 32 of HC 395, there shall be added:

“With the exception of applications made under paragraph 33 (work permits), paragraphs 255 to 257 (EEA nationals) and Part 11 (asylum), all applications for variation of leave to enter or remain must be made using the form prescribed for the purpose by the Secretary of State, which must be completed in the manner required by the form and be accompanied by the documents and photographs specified in the form. An application for such a variation made in any other way is not valid.”.

3. After paragraph 39 of HC 395 there shall be added:

“Students

39A. An application for a variation of leave to enter or remain made by a student who is sponsored by a government or international sponsorship agency may be refused if the sponsor has not given written consent to the proposed variation.”.

4. In paragraph 89(v) of HC 395 (list of those countries whose nationals may qualify as au pairs), for “The Faeroes” there shall be substituted “The Faroes” and “Liechtenstein” shall be omitted.

5. In paragraphs 213 and 218 of HC 395 (persons intending to enter or remain for establishment in a company in the United Kingdom pursuant to an EC Association Agreement), for “Hungary or Poland” there shall be substituted “Bulgaria, the Czech Republic, Hungary, Poland, Romania or Slovakia”.

6. In paragraphs 214 and 219 of HC 395 (persons intending to enter or remain for self-employment in the United Kingdom pursuant to an EC Association Agreement), for “Poland” there shall be substituted “Bulgaria, the Czech Republic, Poland, Romania or Slovenia”.

7. For the Appendix to HC 395 there shall be substituted:

“Appendix

VISA REQUIREMENTS FOR THE UNITED KINGDOM

1. Subject to paragraph 2 below the following persons need a visa for the United Kingdom:

(a) Nationals or citizens of the following countries or territorial entities:

Afghanistan	Ghana	Peru
Albania	Guinea	Philippines
Algeria	Guinea-Bissau	Qatar
Angola	Guyana	Romania
Armenia	Haiti	Russia
Azerbaijan	India	Rwanda
Bahrain	Indonesia	Sao Tome e Principe
Bangladesh	Iran	Saudi Arabia
Belarus	Iraq	Senegal
Benin	Ivory Coast	Sierra Leone
Bhutan	Jordan	Somalia
Bosnia-Herzegovina	Kazakhstan	Sri Lanka
Bulgaria	Kenya	Sudan
Burkina Faso	Kirgizstan	Surinam
Burma	Korea (North)	Syria
Burundi	Kuwait	Taiwan
Cambodia	Laos	Tajikistan
Cameroon	Lebanon	Tanzania
Cape Verde	Liberia	Thailand
Central African Republic	Libya	Togo
Chad	Macedonia	Tunisia
China	Madagascar	Turkey
Comoros	Maldives	Turkmenistan
Congo	Mali	Uganda
Cuba	Mauritania	Ukraine
Djibouti	Mauritius	United Arab Emirates
Egypt	Moldova	Uzbekistan
Dominican Republic	Mongolia	Vietnam
Equatorial Guinea	Morocco	Yemen
Eritrea	Mozambique	Zaire
Ethiopia	Nepal	Zambia
Fiji	Niger	The territories formerly comprising the Socialist Federal Republic of Yugoslavia excluding Croatia and Slovenia.
Gabon	Nigeria	
Gambia	Oman	
Georgia	Pakistan	
	Papua New Guinea	

(b) Persons who hold passports or travel documents issued by the former Soviet Union or by the former Socialist Federal Republic of Yugoslavia.

(c) Stateless persons.

(d) Persons who hold non-national documents.

2. The following persons do not need a visa for the United Kingdom:
- (a) those who qualify for admission to the United Kingdom as returning residents in accordance with paragraph 18;
 - (b) those who seek leave to enter the United Kingdom within the period of their earlier leave unless that leave:
 - (i) was for a period of six months or less; or
 - (ii) was extended by statutory instrument;
 - (c) those holding refugee travel documents issued under the 1951 Convention relating to the Status of Refugees by countries which are signatories of the Council of Europe Agreement of 1959 on the Abolition of Visas for Refugees if coming on visits of 3 months or less.”.

8. Paragraph 60(i) of HC 395 shall not apply to any application for an extension of stay for the purpose of studying made by a national of Bahrain, the Dominican Republic, Fiji, Guyana, Kuwait, the Maldives, Mauritius, Niger, Papua New Guinea, Peru, Qatar, Surinam, United Arab Emirates or Zambia whose current leave to enter or remain was granted before 4 April 1996.

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