

Memorandum of Understanding

between

the Government of the United Kingdom of Great Britain and Northern Ireland

and

the Government of Ireland

concerning the Common Travel Area and associated reciprocal rights and privileges

Introduction

1. This Memorandum of Understanding (“MOU”) reaffirms the arrangement between on the one hand the Government of the United Kingdom of Great Britain and Northern Ireland and on the other the Government of Ireland (hereinafter referred to as “the Participants”) in relation to the Common Travel Area (“CTA”) and the associated reciprocal rights and privileges enjoyed by British and Irish citizens in each other’s state.

Purpose and aims

2. In recognition of their shared commitment to the protection of the CTA and associated reciprocal rights and privileges as a legitimate and fundamental public policy, the Participants have agreed to reinforce the excellent and highly valued cooperation that already exists. This MOU is concerned with the rights of British and Irish citizens, and has as its purpose:
 - a) to reaffirm the status that British and Irish citizens enjoy in each other’s state;
 - b) to reaffirm the associated reciprocal rights and privileges enjoyed by British and Irish citizens in each other’s state;
 - c) to confirm the Participants’ intention to provide further certainty and clarity to British and Irish citizens, and to those responsible for delivering relevant services, about those associated reciprocal rights and privileges;
 - d) to confirm that, where necessary, steps will be taken now and in the future by the Participants to ensure that these associated reciprocal rights and privileges continue to be appropriately reflected in their respective legal systems; and
 - e) to confirm the Participants’ commitment to ongoing joint work to maintain and enhance the frameworks for cooperation on matters relating to the CTA and the associated reciprocal rights and privileges whilst protecting the longstanding principles on which this cooperation is based.

The Common Travel Area

3. The CTA is a long-standing arrangement involving the United Kingdom (“UK”), the Channel Islands and the Isle of Man, and Ireland that facilitates the ability of our citizens to move freely within the CTA. In addition, associated reciprocal rights and privileges have been enjoyed by British citizens in Ireland, and Irish citizens in the UK, since Ireland’s independence.
4. These arrangements reflect the historically close links and cooperation between the UK and Ireland, the many social and economic connections, as well as how the two countries have approached together the movement of people across national borders over time. These links have given rise to, and facilitated the reciprocal enjoyment of, certain rights and entitlements to public services by British and Irish citizens when in each other’s state. The arrangements hold a special significance in people’s daily lives and are of immense importance to the UK and Ireland. The detail of these arrangements has developed over time and will continue to do so.
5. The CTA and associated reciprocal rights and privileges existed long before either the UK or Ireland were members of the European Union (“EU”). The CTA and the associated reciprocal rights and privileges which British and Irish citizens enjoy are separate from, and therefore not dependent on, EU citizenship or EU membership. In the context of the UK’s withdrawal from the EU, and recognising the strong and enduring people to people ties, and long tradition of migration between the UK and Ireland, the Participants consider it desirable to provide a contemporary articulation of these longstanding CTA arrangements, and to reaffirm that such arrangements are to continue.

Movement of British and Irish citizens

6. The CTA allows British and Irish citizens to move freely between the UK and Ireland. The Participants are to continue to ensure that their national laws facilitate such movement.

The right to reside

7. The CTA permits British citizens to take up residence in Ireland and Irish citizens to take up residence in the UK. The Participants are to continue to ensure that their national laws provide for such a right to reside.

The right to work

8. The CTA affords British citizens in Ireland and Irish citizens in the UK the right to work, including on a self-employed basis, without any requirement to obtain permission. The Participants are to continue to ensure that their national laws provide for such a right to work. It is acknowledged that the recognition of qualifications, including professional qualifications, is an essential facilitator of the right to work associated with the CTA. The Participants are committed to ensuring that within their respective jurisdictions, comprehensive measures continue to be in place to allow for the recognition of such qualifications, covering all relevant professions, in accordance with their national laws.

Health care

9. The CTA affords British citizens residing in Ireland and Irish citizens residing in the UK the right to access emergency, routine and planned publicly funded health services in each other's state, on the same basis as citizens of that state.

Social protection

10. The CTA affords British citizens residing or working in Ireland and Irish citizens residing or working in the UK, social security rights in each other's state. They are entitled, when in the other state, to the same social security rights, and are subject to the same obligations, as citizens of that state.

Social housing

11. The CTA affords British citizens residing in Ireland, and Irish citizens residing in the UK, the right to access social housing, including supported housing and homeless assistance, in each other's state, on the same basis as citizens of that state.

Education

12. The CTA affords British and Irish citizens the right to access all levels of education and training, and associated student support, in each other's state, on terms no less favourable than those for the citizens of that state.

Voting

13. British citizens residing in Ireland, and Irish citizens residing in the UK, are entitled to register to vote with the relevant authorities for local and national parliamentary elections in each other's state, on the same basis as citizens of that state. Upon reaching voting age, these citizens are entitled to vote in those elections on the same basis as citizens in that state.

Further arrangements and implementation measures

14. The Participants are committed to ensuring that any necessary steps are taken to give effect to the associated reciprocal rights and privileges outlined above at paragraphs six to thirteen. This includes any necessary legislative steps and further, more detailed, bilateral agreements that may be entered into now or in the future to give effect to specific aspects of the CTA arrangements.
15. The Participants will take the necessary steps to provide certainty and clarity about each of the associated reciprocal rights and privileges set out above to British and Irish citizens and those responsible for the delivery of relevant services.

Oversight

16. The Participants will establish a group of senior officials from both jurisdictions under this MOU which will meet at least once a year. The group will operate in coordination with structured intergovernmental arrangements between the Participants. It will be complementary to the existing CTA Forum on Immigration matters.

Final provisions

17. The foregoing record represents the common understanding of the Participants upon the matters referred to therein. It is not of itself intended to create legally binding obligations. The longstanding durability of the CTA has benefited from a degree of flexibility and the detail of the foregoing arrangements may continue to evolve.
18. Signed in duplicate at London on 8 May 2019.

For the Government of the United Kingdom of
Great Britain and Northern Ireland

For the Government of Ireland

Rt. Hon. David Lidington CBE MP
Chancellor of the Duchy of Lancaster and
Minister for the Cabinet Office

Simon Coveney TD
Tánaiste and
Minister for Foreign Affairs and Trade