



Home Office

Rt Hon Robert Jenrick MP
Minister of State for Immigration

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Lord Jay of Ewelme
Chair of the Protocol on Ireland/Northern Ireland Sub-Committee
House of Lords
London
SW1A 0PW

21 August 2023

Dear Lord Jay,

Thank you for your letter of 8 June.

I would like to begin by reaffirming the point I made in my letter of 5 May, that it is a well-established requirement that individuals visiting the UK, including those arriving from Ireland, are required to enter in line with the UK's immigration framework. Visa nationals are already required to obtain a visa for the UK when travelling via Ireland, in order to lawfully enter the UK and we are simply extending this same principle to those who, in future, will require an ETA.

In light of this, the absence of immigration controls on the Northern Ireland-Ireland land border, as per the Government's commitment to the Belfast (Good Friday) Agreement, does not undermine the ETA requirement which will, for the first time, allow us to know who is seeking to come to the UK via the Common Travel Area (CTA) and refuse permission to those where appropriate. This will ultimately improve our ability to secure the UK border by refusing those who pose a threat from coming to the UK and enhance the security of the CTA, which is a priority for the UK Government.

It is correct that the UK Government operates a carrier's liability scheme. The aim of the scheme is to reduce the arrival of inadequately documented passengers, and carriers may be issued a penalty of £2000 for each such passenger they carry. However, as is the case now, carrier's liability penalties will not be issued in relation to passengers who have arrived on routes within the CTA.

However, it is in the interest of carriers, amongst others in the tourism industry, to ensure that the ETA scheme is delivered effectively to help mitigate any risk of the ETA requirements being seen as a barrier to tourism in Northern Ireland and we will be working closely with these stakeholders to ensure the messages on ETAs are communicated clearly and effectively. The UK Government also recognises that tourism is advertised on an all-island basis and that the unique geography of the land border requires a clear communications strategy in order to target visitors travelling to Northern Ireland, via Ireland, and to encompass the various routes and modes of travel available.

To this end, the Home Office has started what will be a series of engagements with stakeholders. On 7 June, the Home Office hosted an engagement event to which the Northern Ireland Tourism Alliance, Tourism Ireland and Tourism Northern Ireland were all invited. The aim of this particular meeting was to seek feedback from these key stakeholders in the tourism sector across Ireland and Northern Ireland on the products

produced thus far communicating the ETA requirements to visitors, particularly tourists visiting Northern Ireland via Ireland, as well as to identify additional channels and opportunities for stakeholders to communicate our ETA requirements and where the UK Government can support this. We look forward to working closely with these bodies in the months ahead to develop a specific and effective communication plan for ETAs on the island of Ireland and use them to help us to monitor the effectiveness of our communications to inform our future messaging.

I would like to make clear that the proposal to grant a short-term exemption to tourists entering Northern Ireland via Ireland is no longer under consideration at this time, and that it is our intention that the ETA requirement will broadly be applied to all non-visa nationals without an existing permission or exemption, visiting or transiting through the UK. In addition to the opportunity this provides us to strengthen the UK border, this will also ensure that the ETA requirements and the communications regarding the requirements are clear and consistent, avoiding the complication that would likely arise from an exemption that only applies depending on the purpose of travel and of only a limited number of days.

For those who require an ETA, the application process has been designed to be quick and easy for applicants to complete, utilising technology to minimise manual data entry. It will not be bureaucratic or burdensome. Most applicants will be granted their ETA on the same day of application, potentially within minutes, where we have no concerns. As such, same day travel should still be an option for the majority of tourists crossing the Northern Ireland-Ireland land border, even if they have not obtained one further in advance or decide to make a more spontaneous visit to Northern Ireland. Given that the ETA application process will be quick, light touch and very affordable relative to the cost of travel, we can be confident that the benefits of visiting the UK mean this is unlikely to deter genuine visitors. This is certainly the experience of our international partners that already operate similar schemes.

The Government is currently considering how our regulation-making power may be applied in order to exempt specific categories of person who enter the UK via the Irish land border, from the implementation of the proposed 'duty to make arrangements for removal' in the Illegal Migration Bill.

Finally, regarding the Impact Assessment, I am pleased to confirm that this was published on 6 June 2023. The Impact Assessment is theoretical based on a range of scenarios. The Impact Assessment considers the impact on visitors to the UK as a whole, it does not differentiate between countries

I thank the House of Lords Sub-Committee on the Protocol on Ireland/Northern Ireland for their consideration on these issues and offer my assurance on behalf of the UK Government that we will continue to look to work with stakeholders to ensure that the ETA requirements are delivered effectively as we press ahead with these changes

Yours sincerely,

A handwritten signature in dark ink, reading "Robert Jenrick". The signature is fluid and cursive, with a horizontal line underlining the name.

Rt Hon Robert Jenrick MP
Minister of State for Immigration