

UK Government opens Electronic Travel Authorisation (ETA) scheme to non-European nationals

An ETA gives you permission to travel to the UK, providing digital evidence of pre-arrival clearance similar to those already in place in Australia, Canada, New Zealand and the USA. It does not constitute a visa or immigration permission.

All international travellers including non-visa nationals will need permission in advance to enter or transit through the UK with the exception of:

- ▶ British nationals
- ▶ Irish nationals
- ▶ Individuals already holding a UK visa
- ▶ Persons legally resident in Ireland who do not need a visa to visit the UK, if entering the UK from Ireland, Guernsey, Jersey and the Isle of Man.



Timing

The ETA has already been rolled out to Gulf Corporation Council visits and is now expected to open to eligible non-European visitors from 8 January 2025. Eligible European nationals will be able to apply for the ETA from 5 March 2025, with a mandatory requirement from 2 April 2025.

Why is the UK government introducing the ETA scheme?

At present, non-visa nationals do not require pre-clearance for short stays or transit through the UK and advance passenger information is restricted to that provided by carriers from flight date. This means that UK border control and law enforcement authorities have little information and time to assess whether a risk is posed in advance of an individual arriving in the UK. The ETA is intended to provide the UK with an opportunity to pre-assess whether a traveller presents a security or other risk, reduce queuing times on arrival and improve the arrival experience to the UK. The EU is due to implement a similar scheme called European Travel Information and Authorisation Scheme (ETIAS) in 2024 (deferred from November 2023) which will operate in a similar way to the ETA and will require UK citizens not holding a visa issued by an EU Member State to hold valid clearance prior to travel into the Schengen Area.

Applying for an ETA

The procedure is promised to be simple and fast. Applicants (including children) will need to apply by either using the UK ETA app, or by completing an online application form. Applicants will need to provide their personal details, passport information, travel itinerary, email address and answers to questions about criminal offences and immigration history. It is intended that applicants will eventually provide fingerprints remotely through the use of an app.

The Home Office have been running feasibility trials of fingerprint self-upload technology. This information will be checked against Home Office systems and international security data to determine whether the individual is cleared for visa-free travel to the UK. The ETA application fee will cost £10 per applicant.

Individuals will receive notification of ETA approval by way of email. It is advisable for travellers to carry a print out of this email with them when travelling to the UK. The ETA itself is not a physical document but will be electronically linked to the passport they applied with and this passport must be used for travel into the UK. ETA holders are expected to use the ePassport gates (if eligible) or see a Border Force officer when arriving in the UK.

An ETA will last for two years and can be used for multiple visits to the UK. If an individual renews their passport before their ETA expires, they will need to apply for a new ETA.



When to apply?

Applications will need to be submitted with sufficient time to present the ETA approval to their carrier before travelling to the UK. Decisions will typically be made within three working days of submission however decisions may take slightly longer if further checks are required. Travellers are advised to apply earlier if possible and not to book travel until the ETA has been approved.

What will happen if ETA approval is not secured before travelling to the UK?

All Airlines and travel carriers will be under an obligation to ensure they have checked a traveller's ETA prior to departure to the UK. Individuals requiring an ETA who travel without one may face a penalty charge and delays on arrival at the UK border.

It will also be a criminal offence to knowingly arrive to the UK without an ETA if one is required.

What happens if an ETA is denied?

The Immigration Rules require that ETA must be refused where the applicant has previously been sentenced to imprisonment for more than 12 months, been convicted of a criminal offence within the previous 12 months, breached UK Immigration Rules in the past, or has other adverse character, conduct or associations, among other reasons.

If an ETA is refused, the individual will need to apply for either a standard visitor visa to visit the UK, a Temporary Work – Creative Worker visa to come to the UK as a creative worker, or a Transit visa, to transit through the UK. We would expect the Home Office to set out the reasons for refusal in writing, and these should be taken into account when preparing a visitor visa application.

For further information please contact our UK Immigration team, or your usual Forsters contact.

Our key team



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