

CHANGES TO BUSINESS TRAVEL INTO THE UK AND EUROPE

30 November 2023

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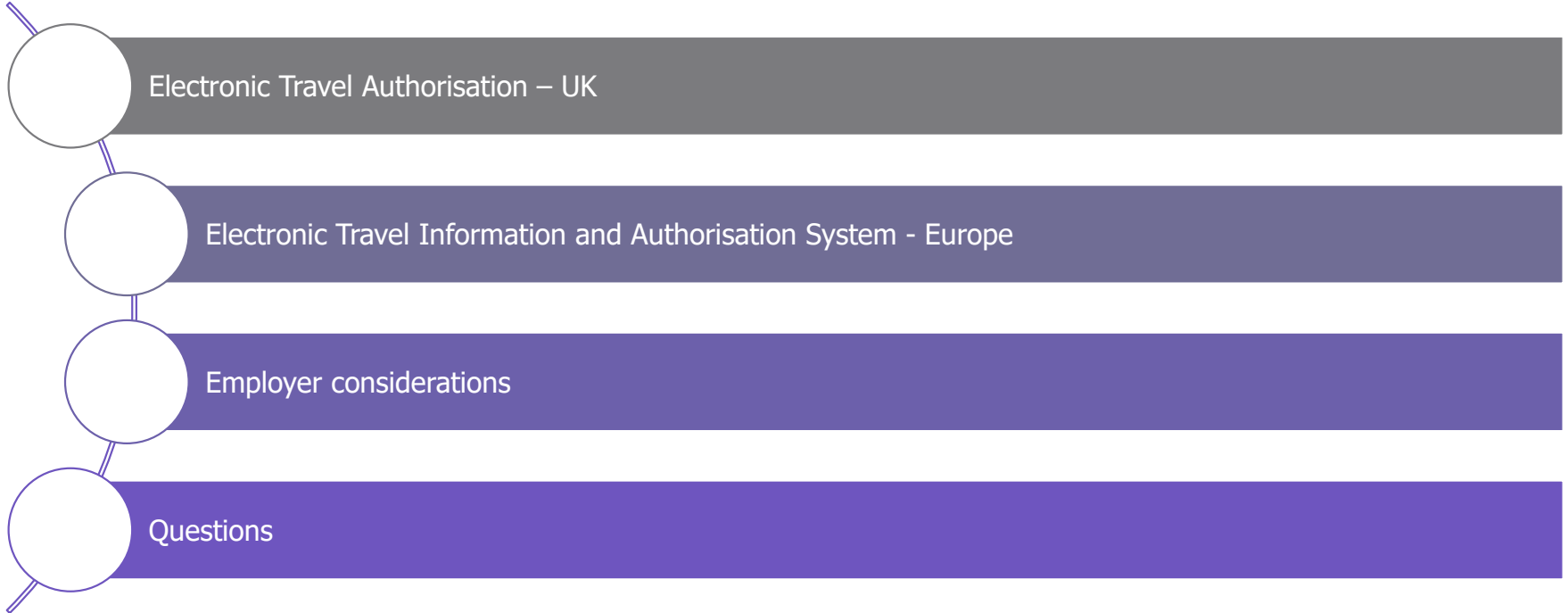


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Today's agenda



Electronic Travel Authorisation (ETA)

ETA - Overview

- Multiple entry digital pre-approval to travel
- Required for:
 - Tourism or visiting family and friends
 - Business or study
 - Transiting through the UK
 - Creative concession entrant (under 3 months entry)
- Valid for 2 years or until passport expiration
- Costs £10
- Typically, 3 working days
- Does not guarantee entry



ETA – Application process



Application made at **least 3 days before travel** via ETA App or gov.uk website [if no smartphone]

Light touch application

Will include personal information and any criminality declarations



'**ID Check**' via App to complete the identity stage of the application with Face Biometrics. Self-enrolled.

Crime/Security/ Identity Checks



Make payment: Separate application & payment of £10 for each person who requires an ETA

Automated granted when:

- applicants with no system hits
- No negative immigration history
- Facial ID match confirmed



Manual intervention for assessment & decision

Where identity cannot be verified, a declaration made, or an adverse trace has been found.

Decision usually within 3 working days. Usually quicker.



Email granting ETA with:

- Permission to travel for two years; or
- expiry of passport whichever is sooner

Refused: receive a reason & directed to apply for visa if they still wish to travel



Travel to the UK

ETA – Decision

No right to administrative review or appeal

Will be refused where:

- applicant has received a custodial sentence of 12 months or more
- applicant has been convicted of a criminal offence in the last 12 months
- applicant's presence in the UK is not conducive to the public good because of their conduct, character, associations or other reasons
- applicant has previously breached the UK immigration laws
- false representations were made, or relevant facts were not disclosed

Standard Visitor required for refusals

- longer lead time due to entry clearances and complexity
- £115 for 6 months

ETA – Roll out


15 November – ETA is mandatory for Qatari nationals



1 February 2024 – Nationals of Saudi Arabia, Oman, Bahrain, Kuwait, UAE and Jordan may apply for an ETA

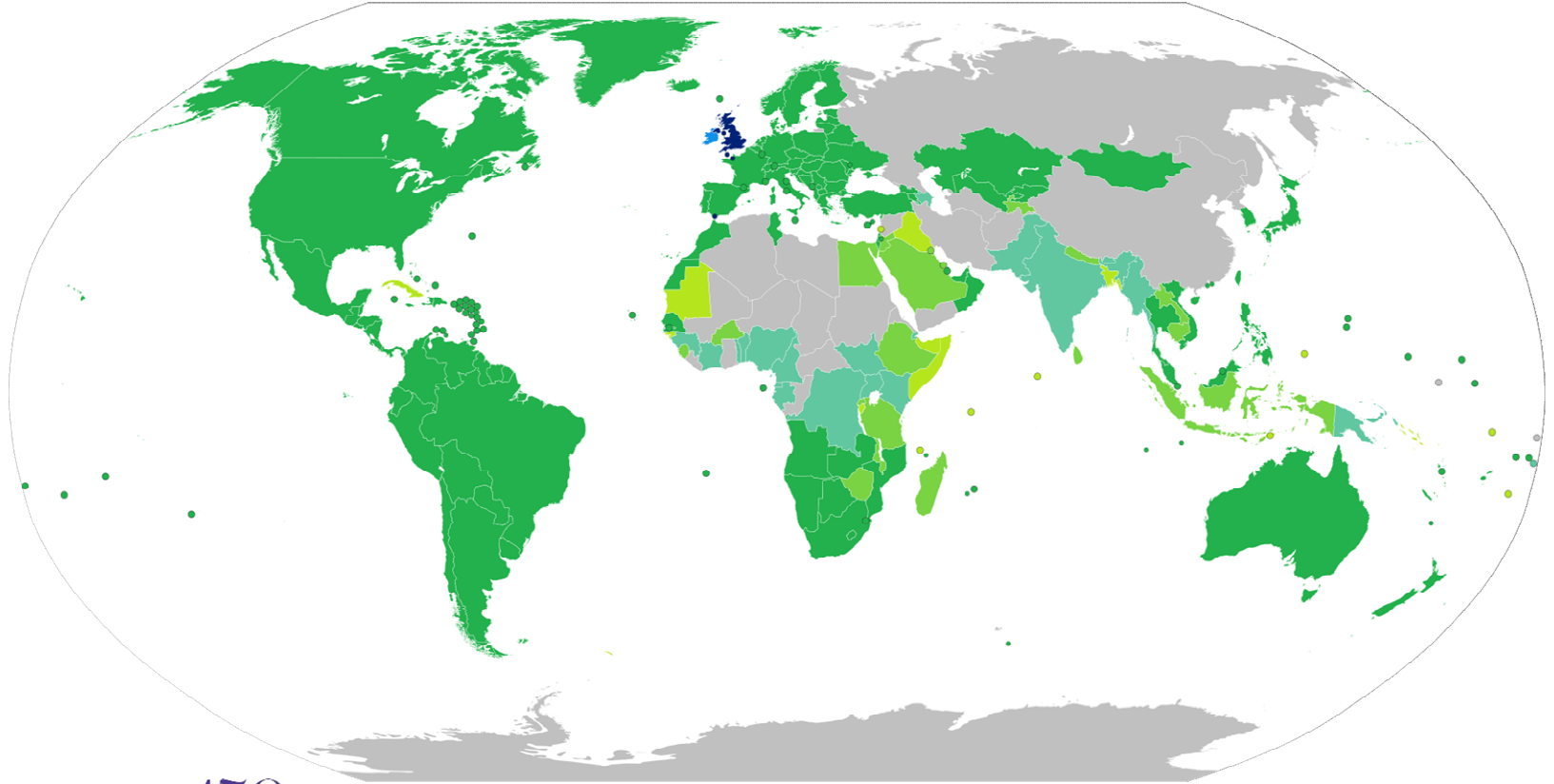


22 February 2024 – ETA is mandatory for nationals of Saudi Arabia, Oman, Bahrain, Kuwait, UAE and Jordan



Roll out to all eligible nationalities (including EU nationals) is expected by the **end of 2024**

Who requires an ETA?



Who requires an ETA?

No ETA required

- British or Irish passport holders
- Those with permission to enter or stay in the UK, including those that are settled
- Those legally resident in Ireland who do not require a visa for travel to the UK
- Visa nationals (e.g. Turkish, Russian and South African nationals)

ETA required

- Non-visa nationals (e.g. US, Canadian, Australian, EEA and Swiss nationals)
- Children and infants (no minimum age)
- Non-visa national list recently updated

Visa nationals

Must obtain a standard visit visa prior to travel

Online application generates appointment to submit biometric data

Evidence of purpose of visit and intention to remain overseas required

Long term (2/5/10 year) visas are available, however each visit to the UK must be less than 6 months

Processing times:

- Standard (included in application fee): 15 working days
- Priority (additional £500 per applicant): 5 working days
- Super priority (additional £1,000 per applicant): 1 working day

Visiting the UK

- Must not intend to work, which includes:
 - taking employment in the UK;
 - doing work for an organization or business in the UK;
 - establishing or running a business as a self-employed person;
 - doing a work placement or internship;
 - direct selling to the public;
 - providing goods and services; and
 - filling a role or providing short-term cover for a role within a UK based organization

Permitted Visitor Activities



Permitted activities include:

attending business meetings, seminars, interviews, giving talks and speeches, negotiating deals and contracts, carry out site visits and gathering information for their employment overseas



Employees of overseas based companies can:

advise and consult, trouble shoot, provide training and share skills and knowledge with UK employees of the same corporate group

Visiting the UK

- Must remain paid and employed outside of the UK
- Reasonable expenses:
 - Flights
 - Accommodation
 - Food
 - Directors' fees for attending board-level meetings
- Limited exceptions for permitted paid engagements

Looking ahead

- From January 2024:
 1. broaden and clarify activities that can be undertaken in an intra-corporate setting
 2. offer wider coverage for the legal services sector
 3. simplify arrangements for those undertaking paid engagements
- Further changes to business visitor rules expected later in 2024

Electronic Travel Information and Authorisation System (ETIAS)

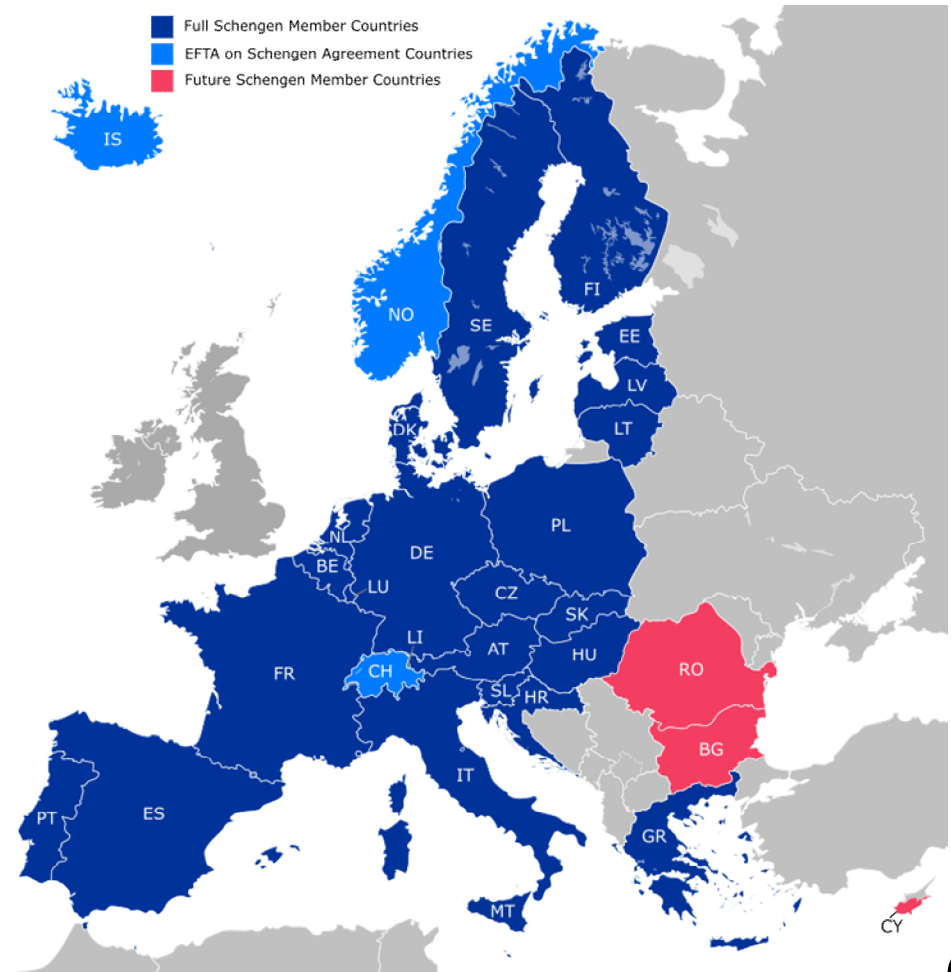
ETIAS - Overview

- Multiple entry digital pre-approval to travel
- Valid for 3 years or until passport expiration
- Does not guarantee entry
- Cost EUR 7
- Typically, 4 working days
- Expected in mid-2025








ETIAS - Countries

- | | | |
|--|---|---|
|  Austria |  Denmark |  Hungary |
|  Belgium |  Estonia |  Iceland |
|  Bulgaria |  Finland |  Italy |
|  Croatia |  France |  Latvia |
|  Cyprus |  Germany |  Liechtenstein |
|  Czech Republic |  Greece |  Lithuania |
|  Luxembourg |  Romania | |
|  Malta |  Slovakia | |
|  Netherlands |  Slovenia | |
|  Norway |  Spain | |
|  Poland |  Sweden | |
|  Portugal |  Switzerland | |



ETIAS – Application process

-  Application made online or using the ETIAS mobile app
-  Passport must be valid for at least 3 months after departure
-  Recommended to apply 30 days in advance
-  Additional documents can be requested
-  In certain cases, an interview may be required

ETIAS – Decision

Have right to appeal on refusal, revocation or annulment

Directed to appeal to a specific European country

Appeal process and time limit to appeal varies in each country

Will be refused if applicant:

- used a travel document that was reported lost, stolen, misappropriated or invalidated
- poses a security, illegal immigration or high epidemic risk
- fails to reply to request for additional information, documentation or attend an interview
- has previously been refused entry and stay, accompanied with an alert in the countries information system

Can apply again in the event application is refused

Who requires an ETIAS?

- | | | | |
|--|--|--|--|
|  Albania |  Georgia |  Montenegro |  Singapore |
|  Antigua and Barbuda |  Grenada |  New Zealand |  Solomon Islands |
|  Argentina |  Guatemala |  Nicaragua |  South Korea |
|  Australia |  Honduras |  North Macedonia |  Taiwan |
|  Bahamas |  Hong Kong |  Palau |  Timor-Leste |
|  Barbados |  Israel |  Panama |  Tonga |
|  Bosnia and Herzegovina |  Japan |  Paraguay |  Trinidad and Tobago |
|  Brazil |  Kiribati |  Peru |  Tuvalu |
|  Brunei |  Macao |  Saint Kitts and Nevis |  Ukraine |
|  Canada |  Malaysia |  Saint Lucia |  United Arab Emirates |
|  Chile |  Marshall Islands |  Saint Vincent and the Grenadines |  United Kingdom |
|  Colombia |  Mauritius |  Samoa |  United States of America |
|  Costa Rica |  Mexico |  Serbia |  Uruguay |
|  Dominica |  Micronesia |  Seychelles |  Venezuela |
|  El Salvador |  Moldova | | |

Who requires an ETIAS?

No ETIAS required

- Nationals of European countries
- UK nationals and their family members benefitting from the Withdrawal Agreement
- Holders of a residence permit issued by any European country
- Holders of a national long-stay visa
- Visa nationals (e.g. Turkish, Russian and South African nationals)

ETIAS required

- Children and infants (no minimum age)

 Albania	 Georgia	 Montenegro	 Singapore
 Antigua and Barbuda	 Grenada	 New Zealand	 Solomon Islands
 Argentina	 Guatemala	 Nicaragua	 South Korea
 Australia	 Honduras	 North Macedonia	 Taiwan
 Bahamas	 Hong Kong	 Palau	 Timor-Leste
 Barbados	 Israel	 Panama	 Tonga
 Bosnia and Herzegovina	 Japan	 Paraguay	 Trinidad and Tobago
 Brazil	 Kiribati	 Peru	 Tuvalu
 Brunei	 Macao	 Saint Kitts and Nevis	 Ukraine
 Canada	 Malaysia	 Saint Lucia	 United Arab Emirates
 Chile	 Marshall Islands	 Saint Vincent and the Grenadines	 United Kingdom
 Colombia	 Mauritius	 Samoa	 United States of America
 Costa Rica	 Mexico	 Serbia	 Uruguay
 Dominica	 Micronesia	 Seychelles	 Venezuela
 El Salvador	 Moldova		

Visa nationals

- Must obtain a Schengen short stay visa
- Application submitted to:
 - the Consulate of the country to which the applicant intends to travel; or
 - the Consulate of the country in which the applicant intends to spend the most time
- Evidence of medical insurance coverage, sufficient financial resources and purpose of travel required
- Processing times dependant on the Consulate processing application

Visiting the Schengen area

- Permitted activities will depend on the category of Schengen visa:
 - **Tourist Schengen** → tourism purposes only
 - **Student Schengen** → study within the Schengen area. Issued by educational institutions and are subject to restrictions
 - **Transit Schengen** → permits holders to transit via the Schengen area
 - **Working Schengen** → permits holders to work in a selected country and additional registration requirements might apply

Visiting the Schengen area

- **Business Schengen** → work is prohibited. No set list of activities deemed to be “*business activities*” and subject to the conditions in each country. Examples include:
 - Attending internal and external business activities
 - Attending conferences and seminars
 - Negotiating business deals
 - Undertaking sales or marketing activities
 - Performing internal or external client audits
 - Exploring business activities
 - Attending and receiving training
- Activities should be assessed on a case-by-case basis depending on the activity and country

Travel to Europe



Duration of stay



Reason for visit



Means of supporting visit

Entry/Exit System (EES)



Electronic register of the time and place of entry and exit



Better monitoring for overstaying



Due to be implemented in Autumn 2024

Digitalisation of Schengen Visas

- The current in-person visa application processes for all Schengen countries will largely be replaced and applications will instead be processed digitally via a single visa application platform
- Applicants will digitally submit information and documents and pay government fees on this platform
- In-person appointments will still be necessary for some applicants
- Visa sticker to be replaced with cryptographically signed barcode
- Implementation date to be confirmed (2028)

Employer Considerations

What can you do now?



Anticipate

Upcoming business travel needs



Communicate

Changes and review circumstances
(e.g. sufficient passport validity)



Consider

Level of support to be provided

How we can assist



Reviewing lists of employees



Preparing and reviewing communications to employees



Reviewing business travel policies and processes



Facilitating ETA/ ETIAS and visa applications

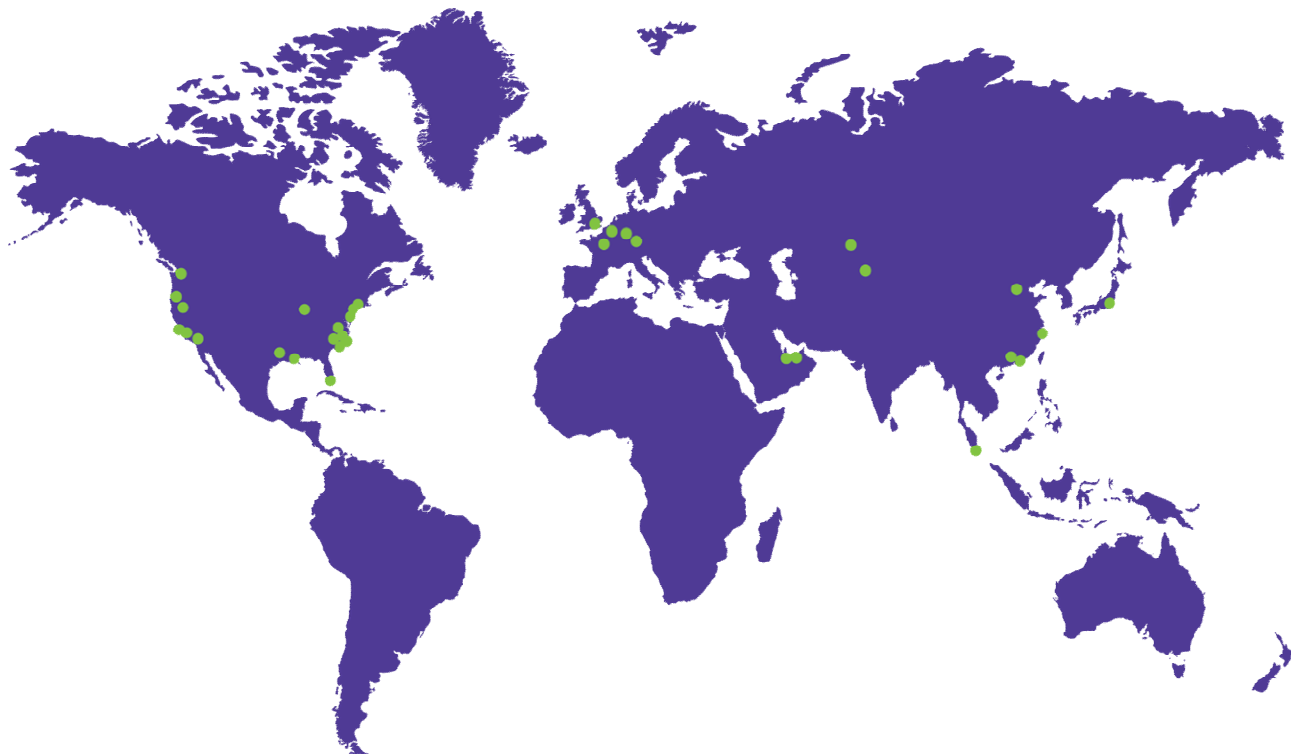
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