



STATUTORY INSTRUMENTS.

**S.I. No. 146 of 2011**



IMMIGRATION ACT 2004 (VISAS) ORDER 2011

**(Prn. A11/0499)**

## IMMIGRATION ACT 2004 (VISAS) ORDER 2011

I, ALAN SHATTER, Minister for Justice and Law Reform, in exercise of the powers conferred on me by section 17 of the Immigration Act 2004 (No. 1 of 2004) (as adapted by the Justice, Equality and Law Reform (Alteration of Name of Department and Title of Minister) Order 2010 (S.I. No. 216 of 2010)), hereby order as follows:

1. (1) This Order may be cited as the Immigration Act 2004 (Visas) Order 2011.

(2) This Order comes into operation on 25 April 2011.

2. In this Order—

“Convention travel document” means a travel document issued in accordance with Article 28 of the Geneva Convention;

“Directive of 2004” means Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to

move and reside freely within the territory of the Member States<sup>1</sup>;

“family members” has the meaning assigned to it by the Regulations of 2006;

“Geneva Convention” has the meaning assigned to it by the Refugee Act 1996 (No. 17 of 1996);

“permanent residence card” has the meaning assigned to it by the Regulations of 2006;

“residence card” has the meaning assigned to it by the Regulations of 2006;

“Regulations of 2006” means the European Communities (Free Movement of Persons) (No. 2) Regulations 2006 (S.I. No. 656 of 2006).

3. It is hereby declared that the following classes of non-nationals are specified as classes the members of which are not required to be in possession of a valid Irish visa when landing in the State:

(a) nationals of a state or territorial entity specified in Schedule 1;

(b) non-nationals who are holders of—

<sup>1</sup>Official Journal L 158, 30.4.2004, p. 77–123

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 1st April, 2011.*

- (i) a valid Convention travel document issued by Belgium, Czech Republic, Denmark, Finland, Germany, Iceland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovak Republic, Spain, Sweden, or Switzerland and where the intended purpose of the travel to the State by the holder of such a travel document is solely for a visit of up to a maximum period of 3 months,
  - (ii) a valid permanent residence card, or
  - (iii) a valid residence card;
- (c) non-nationals who are family members of a Union citizen and holders of a document called “Residence card of a family member of a Union citizen”, as referred to in Article 10 of the Directive of 2004.

4. It is hereby declared that non-nationals who are nationals of a state or territorial entity specified in Schedule 2 are specified as a class the members of which are required to be in possession of a valid Irish transit visa when arriving at a port in the State for purposes of passing through the port in order to travel to another state.

5. The Immigration Act 2004 (Visas) (No. 2) Order 2009 (S.I. No. 453 of 2009) is revoked.

## SCHEDULE 1

Andorra	Guatemala	Poland
Antigua and Barbuda	Guyana	Portugal
Argentina	Honduras	Romania
Australia	Hong Kong (Special	Saint Kitts and Nevis
Austria	Administrative	Saint Lucia
Bahamas	Region)	Saint Vincent and the
Barbados	Hungary	Grenadines
Belgium	Iceland	Samoa
Belize	Israel	San Marino
Bolivia	Italy	Seychelles
Botswana	Japan	Singapore
Brazil	Kiribati	Slovak Republic
Brunei	Latvia	Slovenia
Bulgaria	Lesotho	Solomon Islands
Canada	Liechtenstein	South Africa
Chile	Lithuania	South Korea
Costa Rica	Luxembourg	Spain
Croatia	Macau (Special	Swaziland
Cyprus	Administrative Region)	Sweden
Czech Republic	Malawi	Switzerland
Denmark	Malaysia	Taiwan
Dominica	Maldives	Tonga
El Salvador	Malta	Trinidad and Tobago
Estonia	Mexico	Tuvalu
Fiji	Monaco	United Kingdom and
Finland	Nauru	Colonies
France	Netherlands	United States of
Germany	New Zealand	America
Greece	Nicaragua	Uruguay
Grenada	Norway	Vanuatu
	Panama	Vatican City
	Paraguay	Venezuela

SCHEDULE 2

Afghanistan	Ghana	Nigeria
Albania	Iran	Serbia
Cuba	Iraq	Somalia
Democratic Republic of the Congo	Lebanon	Sri Lanka
Eritrea	Moldova	Zimbabwe
Ethiopia	Montenegro	



GIVEN under my Official Seal,  
28 March 2011.

ALAN SHATTER,  
Minister for Justice and Law Reform.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

This Order specifies the classes of non-nationals who are exempt from Irish visa requirements and those who are required to be in possession of a valid Irish transit visa when transiting within a port within the State. The principal change effected by this Order is that non-nationals who are family members of a European Union citizen and holders of a document called "Residence card of a family member of a Union citizen" as referred to in Article 10 of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004, are not subject to an Irish visa requirement.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
nó trí aon díoltóir leabhar.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased directly from the  
GOVERNMENT PUBLICATIONS SALE OFFICE  
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,  
or by mail order from  
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,  
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,  
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)  
or through any bookseller.

---

€2.54

