



STATUTORY INSTRUMENTS.

S.I. No. 345 of 2011.



IMMIGRATION ACT 2004 (VISAS) (No. 2) ORDER 2011

(Prn. A11/1177)

IMMIGRATION ACT 2004 (VISAS) (No. 2) ORDER 2011

I, ALAN SHATTER, Minister for Justice and Equality, 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 and Law Reform (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 138 of 2011)), hereby order as follows:

1. (1) This Order may be cited as the Immigration Act 2004 (Visas) (No. 2) Order 2011.

(2) This Order comes into operation on 1 July 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 States¹;

“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);

“leave to enter the United Kingdom” means leave to enter the United Kingdom as a general visitor, child visitor, business visitor, sports visitor or academic visitor, within the meaning given to those terms in Part 2 of the United Kingdom Immigration Rules, that is granted by the competent authorities of the United Kingdom;

“leave to remain in the United Kingdom” means leave to remain in the United Kingdom as a general visitor, child visitor, business visitor, sports visitor or academic visitor, within the meaning given to those terms in Part 2 of the United Kingdom Immigration Rules, that is granted by the competent authorities of the United Kingdom to a person to whom leave to enter the United Kingdom was granted;

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

¹Official Journal L 158, 30.4.2004, p. 77–123

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 8th July, 2011.*

“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);

“United Kingdom” means the United Kingdom of Great Britain and Northern Ireland;

“United Kingdom Immigration Rules” means the rules laid down under, and laid before the Parliament of the United Kingdom pursuant to section 3(2) of, an Act of that Parliament entitled the Immigration Act 1971, which rules are in effect in the United Kingdom on the date of the coming into operation of this Order;

“United Kingdom visitor” means a person—

- (a) to whom leave to enter the United Kingdom has been granted,
- (b) who has entered the United Kingdom pursuant to the leave referred to in paragraph (a), and
- (c) whose leave referred to in paragraph (a) remains valid, or to whom leave to remain in the United Kingdom has been granted, which leave remains valid.

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-
 - (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;
- (d) until 31 October 2012, United Kingdom visitors who are nationals of a state or territorial entity specified in Schedule 2 and where the intended purpose of the travel to the State by the United Kingdom

visitor concerned is solely for a visit of the shorter of the following periods—

- (i) 90 days or less, or
- (ii) the remaining period of validity of that person's leave to enter the United Kingdom, or, as the case may be, leave to remain in the United Kingdom.

4. It is hereby declared that non-nationals who are nationals of a state or territorial entity specified in Schedule 3 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) Order 2011 (S.I. No. 146 of 2011) 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	Sweden
Czech Republic	Region)	Switzerland
Denmark	Malawi	Taiwan
Dominica	Malaysia	Tonga
El Salvador	Maldives	Trinidad and Tobago
Estonia	Malta	Tuvalu
Fiji	Mexico	United Kingdom and
Finland	Monaco	Colonies
France	Nauru	United States of America
Germany	Netherlands	Uruguay
Greece	New Zealand	Vanuatu
Grenada	Nicaragua	Vatican City
	Norway	Venezuela
	Panama	
	Paraguay	

SCHEDULE 2

Bahrain
Belarus
India
Kazakhstan
Kuwait
Montenegro

Oman
People's Republic of
China
Qatar
Russian Federation
Saudi Arabia
Serbia

Turkey
Ukraine
United Arab Emirates
Uzbekistan

SCHEDULE 3

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 June 2011.

ALAN SHATTER,
Minister for Justice and Equality.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
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