

UK Business Immigration

Electronic Travel Authorisation (ETA) for Travel to the UK What UK Businesses Need to Know

UK - March 2025

What Is an ETA?

An ETA is a digital permission authorising a person's travel to the UK (linked to their passport). The introduction of ETAs is in line with the approach many other countries have taken to border security, including the US and Australia.

Non-British or Irish visitors to your UK business (including overseas employees) may need to obtain an ETA prior to travelling to the UK.

It is important to note that an ETA is not a visa and does not confer any right to work in the UK. If a person's nationality or proposed activities in the UK require them to obtain a UK visa (including for work purposes), they must obtain the appropriate visa prior to travelling to the UK (instead of applying for an ETA).

An ETA does not guarantee entry to the UK. On arrival in the UK. ETA holders will still need to either:

- See a Border Force officer
- Use an ePassport gate

If an overseas employee or visitor has previously been refused entry into the UK or has a criminal record, their ETA application may be refused. They may therefore need to take advice on applying for a visitor visa instead of an ETA.

Who Needs an ETA?

Unless exempt (see below), <u>eligible non-European</u> <u>nationalities</u> are already required to obtain an ETA prior to travelling to the UK.

Nationals of EU countries, EEA countries (Iceland, Liechtenstein, Norway and Switzerland) as well as Andorra, Monaco, San Marino and Vatican City can now apply for an ETA and must have one to travel to the UK on, or after 2 April 2025 (unless exempt).

<u>Visa nationals</u> are not eligible for an ETA to travel to the UK and must obtain a <u>Standard Visitor visa</u> instead, providing their proposed activities in the UK are permitted under the relevant <u>UK visitor rules</u>.

Who Is Exempt From Obtaining an ETA?

A person is not required to obtain an ETA to travel to, or transit through the UK if they:

- Have a UK visitor visa
- Have permission to live, work or study in the UK (including settled or pre-settled status under the EU Settlement Scheme)

- Are transiting through a UK airport and will not pass through border control
- Are a British citizen
- Are an Irish citizen (except those that require permission to come to the UK as they are subject to a deportation order, exclusion order decision or an international travel ban)
- Are travelling with British overseas territories citizen or British national overseas passports
- Live in Ireland and are travelling to the UK from Ireland, Guernsey, Jersey or the Isle of Man
- Are exempt from immigration control
- Are a dual citizen with British or Irish citizenship and can prove their permission to travel using a valid British passport; valid Irish passport or other valid passport containing a certificate of entitlement.

What Is Permitted With an ETA?

A person holding an ETA can:

- Come to the UK for up to six months for tourism, visiting family and friends, business or short-term study
- Come to the UK for up to three months on the <u>Creative</u> Worker visa concession
- Come to the UK for a permitted paid engagement or event
- Transit through a UK airport if they will pass through UK Border Control
- Anyone coming to the UK for another reason, should <u>check</u> if they need a UK visa instead.

What Is Not Permitted With an ETA?

- Staying in the UK for longer than six months
- Paid or unpaid work for any UK organisation or as a selfemployed person, unless the holder is doing a <u>permitted</u> <u>paid engagement or event</u> or working under the <u>Creative</u> <u>Worker visa concession</u>
- Claiming UK public funds (benefits)
- Living in the UK through frequent or successive visits
- Marrying or registering a civil partnership in the UK, or giving notice of marriage or civil partnership (this requires a Marriage Visitor visa)

Do I Need To Check That Our Overseas Employees Or Business Visitors Travelling to the UK Have ETAs in Place?

It is the overseas employee's or visitor's responsibility to obtain an ETA before travelling to the UK (if they need one). You are not required to carry out any checks to see if they have an ETA prior to, or on their arrival at your UK offices.

However, you may wish to provide appropriate guidance to overseas employees and business visitors coming to the UK (including this guide) to avoid delays or disruption to their travel plans.

In addition, as an ETA does not confer a right to work, you should be vigilant in relation to the work activity of any overseas employee or visitor to your UK offices to ensure that they are only doing activities that are permitted under the relevant UK visitor rules, and are not doing work that would otherwise require a UK work visa.

What Happens if an Overseas Employee's or Visitor's ETA Is Refused?

Common reasons for refusal include incorrect or incomplete information, adverse immigration history, certain criminal convictions or security/suitability concerns.

They may be able to reapply for an ETA if their circumstances have changed, or they made a mistake in their application.

If they cannot apply for an ETA, they will need to apply for a <u>Standard Visitor visa</u> providing they are only intending to carry out activities that are permitted under the relevant <u>UK visitor rules</u>, and they are not intending to do work that would otherwise require a UK work visa.

The process of applying for a Standard Visitor visa takes longer than applying for an ETA (sometimes weeks) and requires more documentation. They should therefore apply as early as possible, and you may need to seek advice on their behalf if you are unsure about their eligibility to travel to the UK or the type of visa they require.

What About Employees Travelling to the EU?

The EU plans to introduce the Entry/Exit system (EES) from autumn 2025. This is a new digital border system that will change requirements for British nationals travelling to the Schengen area. Once introduced, employees travelling to a country in the Schengen area using a UK passport will be required to register their biometric details, such as fingerprints or a photo, on arrival. EES registration will replace the current system of manually stamping passports when visitors arrive in the EU.

Following the introduction of EES, the EU is expected to introduce ETIAS travel authorisation in the last quarter of 2026. This is an entry requirement for visa-exempt nationals travelling to any of these 30 <u>European countries</u>.

If you have any questions relating to ETAs or any other business immigration matters, please get in touch with your usual contact in our business immigration team or Annabel Mace partner and Head of UK Immigration.

Contact



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