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Policy paper

Factsheet 2: status of Irish citizens

Published 5 March 2020

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What does the bill do?

The government introduced the Immigration and Social Security Co-ordination (EU Withdrawal) Bill in the House of Commons on 5 March 2020. See factsheet 1 for an overview of the bill. The bill includes provision to protect the long-standing immigration status of Irish citizens in the UK so they can continue to enter and remain in the UK without requiring permission when free movement ends. The bill does not affect the operation of the Common Travel Area (CTA).

Irish citizens: entitlement to enter and remain without leave

Minister for Future Borders and Immigration:

“ We remain firmly committed to protecting the long-standing Common Travel Area arrangements, which predate our EU membership and reflect the close and historic ties between our two great nations.

“ This bill provides certainty and clarity for Irish citizens on their rights to enter and live in the UK, reflecting the reciprocal arrangements for British citizens in Ireland.”

What does the bill do?

Protect the status of Irish citizens in the UK once free movement rights end. This means Irish citizens will continue to be free to enter and remain in the UK without restriction. As now, there are some limited exceptions to this where they are subject to a deportation order, exclusion order or international travel ban.

How does the bill do it?

The bill makes it clear Irish citizens can continue to freely enter and reside in the UK without requiring permission to do so.

Background

The CTA allows British and Irish citizens to move freely between Ireland and the UK and the Crown Dependencies. Under reciprocal arrangements since Ireland's independence, British and Irish citizens have enjoyed associated rights in each other's state. These include the right to work and study, access to healthcare and social and welfare benefits, and voting rights in local and parliamentary elections.

This status also supports the provisions of the Belfast Agreement, specifically the birthright of the people of Northern Ireland to identify themselves and be accepted as Irish, British or both and have the right to hold both British and Irish citizenship. The UK Government and the Government of Ireland signed a [Memorandum of Understanding](#) on 8 May 2019 which reaffirmed both governments' commitment to the CTA and to maintaining the associated rights and privileges of Irish and British citizens under this longstanding reciprocal arrangement.

An Irish citizen's status in the UK is a fundamental part of these historic arrangements. Irish citizens do not require permission to enter or reside in the UK. Currently this right of entry and residence stems from the Immigration Act 1971

(when entering from Ireland or the Crown Dependencies) and the EEA Regulations 2016 which implement the Free Movement Directive (2004/38/EC) (when entering from outside the CTA). The bill preserves the immigration status of Irish citizens clearly based on an individual's nationality rather than where they travelled from.

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