



Subject:	Electronic Travel Authorisation (ETA)
Date:	11 May 2022
Reporting Officer:	John Greer, Director of Economic Development
Contact Officer:	Kerry McMullan, Tourism and Events Development Manager

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	At a meeting of City Growth and Regeneration Committee on 6 April 2022, the Director of Economic Development was asked to update Members on the impact of the introduction of the proposed Electronic Travel Authorisation (ETA) for travel between the Republic of Ireland and Northern Ireland. The purpose of this report is to update Members on the evidence heard by and presented to the Northern Ireland Affairs Committee at the House of Commons on 20 <sup>th</sup> April 2022.
<b>2.0</b>	<b>Recommendations</b>
2.1	Members are asked to: <ul style="list-style-type: none"><li>Note the contents of this report</li></ul>

	<ul style="list-style-type: none"> <li>• A further update on the progression of the legislation and how the ETA will operate will be brought to a future Committee.</li> </ul>
<b>3.0</b>	<b>Main report</b>
3.1	<p><b>Background to the proposed Electronic Travel Authorisation Scheme</b></p> <p>Under new post-Brexit immigration and border control legislation going through Westminster, non-Irish EU citizens living in or visiting the Republic of Ireland would require an Electronic Travel Authorisation (ETA) to cross the border into Northern Ireland. The Nationality and Borders Bill is primarily an asylum and immigration bill, however the new legislation extends to short visits into the UK, so tourists will have to comply.</p> <p>Last month, MPs voted 298 to 216, majority 82, on the Nationality and Borders Bill to reject a Lord’s amendment to the Bill which sought to remove the requirement for foreigners to need an ETA. The Bill is now at the consideration of amendments stage and it is planned that the ETA will be fully operational by the start of 2025.</p> <p>The visa-waiver style scheme, which would be similar to the one used in the US, would not apply to Irish or UK citizens, who are guaranteed free movement around the island under the terms of the long-standing common travel area (CTA) agreement.</p> <ul style="list-style-type: none"> <li>• It would require non-British and non-Irish EU citizens to apply for pre-travel clearance.</li> <li>• An ETA will be required for those international tourists who want to travel onwards to Northern Ireland, even if it is just for a day trip.</li> <li>• The system would be similar to the declaration that international passengers have to fill in before travelling to the United States or Canada.</li> </ul> <p>The draft bill contains measures to require non-British and non-Irish nationals to apply in advance for permission to travel to the UK via an Electronic Travel Authorisation (ETA) scheme. The Government has not yet announced full details of the ETA such as how much it will cost, but there are concerns, highlighted by votes in the House of Lords, that the ETA could be a disproportionate response by the Government to concerns about issues such as people trafficking. The UK Government has insisted the ETA process will be simple and will not involve physical checks on the border.</p>
3.2	<b>Impact on Belfast and Northern Ireland - Oral evidence to the Northern Ireland Affairs Committee</b>

3.3

Oral evidence on the introduction of the ETA was heard by the Northern Ireland Affairs Committee at the House of Commons on 20 April 2022 and was heard from:

- **Dr Joanne Stuart OBE**, Chief Executive Officer, Northern Ireland Tourism Alliance (NITA) established in 2018 and led by industry, is the voice for tourism and travel in Northern Ireland with members spanning all sectors of the tourism economy.
- **John McGrillen**, Chief Executive Officer, Tourism NI
- **Shane Clarke**, Director of Corporate Services, Policy and Northern Ireland, Tourism Ireland

3.4

Dr Joanne Stuart OBE, NI Tourism Alliance (NITA) advised the Committee:

- There had been no consultation at all with the industry on the planned introduction of the ETA and the impact in Northern Ireland and detailed information on how it will work is limited
- We currently have seamless travel across the island of Ireland with our main gateway for overseas travellers via the Republic of Ireland, and particularly with tour operators, people come and arrange their trip based across the island of Ireland.
- The perceived single-entry system would be unworkable and completely impractical as often people cross the border multiple times during a visit and people want to have hassle free travel. Research by Tourism Ireland on our overseas markets has shown that anything that is perceived to be an additional obstacle or barrier to a trip could result in deciding to stay within the Republic of Ireland.
- Recent challenges with different regulations around international travel during Covid resulted in tour operators cancelling the Northern Ireland elements of their trip due to the additional testing requirements, administration with the UK passenger locator form and the additional cost. We have seen the impact that it can have when there is not alignment across the island.
- About £160m of visitor spend is at risk impacting on about half a million visitors (based on 2019 NISRA figures) – not just leisure tourism; but a lot of people will travel via the Republic of Ireland into Northern Ireland to attend international conferences. Any additional administration or barrier to entry could have an impact on our competitiveness to attract those conferences to Northern Ireland.
- There are concerns about the impact on cross-border workers such as coach drivers and tour guides, many of whom are living legally in the Republic of Ireland due to their EU membership but are not Irish citizens. Through the EU settlement scheme people who work on a full-time basis in Northern Ireland are covered,

however, a lot of coach drivers and tour guides who will come over with the tours will not be in that situation and given the skills shortage in this sector we need to make it more attractive, not put those already working here at risk.

In summary we estimate that we have lost around £1 billion in visitor spend to tourism and the tourism economy. We are an export industry, so we are bringing money into the economy. When tours and conferences are being planned, we are looking three to five years out. The uncertainty about what the requirement is going to be and how it is going to work in Northern Ireland can be very off-putting. We ask that it be considered as a matter of urgency so that we can clarify the situation and have the opportunity to work through the detail of what, as currently laid out, we think is unworkable for us in Northern Ireland.

- We are suggesting an exemption for those people who arrive in the Republic of Ireland and travel across the land border to Northern Ireland so that they do not require the ETA. Their trip is within the island of Ireland. We do have people who arrive directly into Northern Ireland from European countries. We have some European flights, and as they are arriving in an official port of entry, they will be aware that they will need an ETA and will have to have that. Also, if anybody were coming from Dublin to Northern Ireland and then on into GB, they could only get into GB via an official port of entry. At that point, they would need the ETA, which would be checked.
- Our challenge is that there are no checks, and we have been told by the Home Office that it does not intend to have any checks on the land border. Our concern is whether we are going to start having ad hoc checks and how they will determine who they check for an ETA, which could cause some problems around how they identify who they want to check. The exemption is very much specified as, or restricted to, those who are travelling from the Republic of Ireland across the land border into Northern Ireland.

3.5

John McGrillen, Tourism Northern Ireland advised the Committee:

- It has taken us a long time to build up the level of business we have got. Our fear would be if we don't make this simple or easy to understand, there is the potential for that business to be lost again.
- In 2019, which was probably the most recent year in which we got reasonable statistics, about 780,000 visitors out of the 3 million overseas visitors who visited Northern Ireland came from outside the common travel area. The estimation is that

about 60% of those people spent time on both sides of the border on the island of Ireland.

- We do not have statistics for people who have arrived in the Republic of Ireland, travelled into Northern Ireland and then travelled on to GB, but I would say that the numbers of people doing that would be minimal because people typically come for a visit to the island of Ireland. The tour operators tend to operate on an island of Ireland basis, although there are a number who would operate on the island of Ireland, then go into Scotland and then perhaps return to Dublin to fly home again.
- There is a fear that many tour operators in the south would simply choose to forego trying to sell packages including Northern Ireland over the plans advising that “the fact this ambiguity exists, or this level of explanation is required, will make it much easier for that agent to simply say: ‘I don’t need to be bothered with this hassle it is much easier for me to sell a trip to Cork or Kerry’.
- It is an issue for coach tour operators because that sector is very dependent on migrant labour, particularly in the Republic of Ireland. They would employ lots of Poles, Lithuanians and suchlike to drive their coaches. Imagine a coach driver who currently crosses a border 70 to 80 times a year bringing a coachload of people from Dublin to the north and back again. It is an issue for the coach tour operators, and they have raised it with us.
- The industry over the last two years has survived on visitor numbers from the Republic of Ireland and staycations. As our routes open up, those people who have been locked into the island of Ireland for the last two years will want to travel abroad. The recovery and growth of the sector will really be dependent on the numbers of visitors we attract from the rest of the United Kingdom and further afield in the years ahead. From our perspective, the growth of the tourism sector is going to come from those overseas markets.

3.6

Shane Clarke from Tourism Ireland outlined the damage the system could have island wide advising:

- At the moment, we have really seamless travel across the island of Ireland. Our main gateway for overseas travellers is via the Republic of Ireland, and particularly with tour operators, people come and arrange their trip based across the island of Ireland.
- It is not only going to be damaging to visitors that would go to Northern Ireland, but it would also be damaging to visitors who would be considering the island of Ireland as it would be just seen as another barrier.

- This is an industry that has been on its knees the last few years with Covid. They can't really believe this kind of regulation has been brought in.
- The only feedback from the research that we did is that tour operators and industry clearly want to be compliant with the applicable laws. That means that, from a marketing point of view, we would need to tell people that there was a difference and they needed to be compliant with the laws. Clearly, that would mean people being less likely to want to travel into Northern Ireland. The tour operators would be less willing to programme it because of the associated complexities and costs, and because they would not want their coach driver to be breaking the law inadvertently in any way. Northern Ireland is also a transit point for people going from the south of Ireland up to Donegal, so there is all that complexity.
- To summarise some of the findings from our research with the tour operators and the industry. They said that this was a bad idea for tourism for the island of Ireland and a really bad idea for tourism prospects into Northern Ireland. From our point of view, it is value-destroying. We have invested over £1 billion in marketing the island of Ireland and Northern Ireland over the last 20-odd years as a place where people can come with unfettered access across the island. That would need to be reworked to add in these complicating factors.

3.7

#### **Written evidence to the Northern Ireland Affairs Committee**

Written evidence was also submitted by NITA, TNI and TI included at Appendix 1 which provides additional information, statistics and detailed independent research commissioned by Tourism Ireland.

3.8

#### **Government Response to the Evidence:**

Following the oral evidence session, the Parliamentary Under Secretary of State for Immigration and Future Borders, Kevin Foster gave evidence to the committee, defending the plans and reiterated that there would be no physical checks on the border and the system would operate electronically.

Kevin Foster said the purpose of bringing in an ETA scheme is to improve border security. People will be cleared for travel before they depart rather than if, for example, you happen to decline them at the border and then remove them afterwards. That is in relation to travel into the UK from outside the Common Travel Area (CTA) and said the move was necessary to prevent any abuse of the Common Travel Area. There are no proposed checks on the land border.

He advised that for operators around the world, they will not have to acquaint themselves with a raft of UK immigration statuses and documents. The ETA system not only clears people for travel who are non-visa nationals, but can confirm wider immigration statuses, so people are no longer having to present UK documents to get permission to travel.

Simon Hoare, Chair of the NI Affairs Committee asked Kevin Foster why he had not engaged with NITA, TNI and Tourism Ireland. He did acknowledge that there had been no consultation with the tourism industry or tourism bodies in Northern Ireland and would be happy to do so. However, he emphasised that they had had several engagements with the Irish government and that these types of systems are becoming common around the world.

The points made were:

- This type of system has been implemented in many countries and many more countries will go down this route
- The cost, although yet to be decided, will not be prohibitive and will only add a small additional cost to the total cost of a holiday
- The same immigration controls in Belfast should be the same as for the rest of the UK
- It will be the responsibility of tour operators organising trips which include NI to ensure that travellers are aware of the need to have an ETA.
- There are no planned immigration checks on the land border and any checks will be intelligence led
- The Minister did confirm that there has been ongoing engagement with the Irish Government, and they were looking at developing a solution to address the issue for those legally residing in RoI but not Irish Citizens.

One potentially positive update was the fact that the ETA will be multiple entry, as this would resolve the issue of tourists crossing the border multiple times on any one trip. and is likely to cost about £10 and would be valid for more than a year and would cover multiple trips. He also suggested it would begin operating in 2025. However, this is not currently in the legislation.

3.9

### **Way Forward**

It is likely that the introduction of the ETA will go ahead in 2025 despite NITA's request for exemption. Council will continue to work with our strategic partners in NITA, Tourism NI

<p>3.10</p> <p>3.11</p>	<p>and Tourism Ireland as they engage with ministers to lobby for the inclusion of a multiple entry ETA into the legalisation and for the cost to be kept to a minimum.</p> <p>Council will also work with our partners to ensure that other issues are clarified including for example liaison with insurance companies regarding car hire and use of coaches in NI; and support non-Irish residents who live in ROI to gain the required permission to work in NI. In addition, ongoing work to ensure that tour operators are supported by TNI and TI to make it as easy as possible for them to explain and to include Northern Ireland as part of their itineraries; work with airlines and other carriers to ensure that they advise visitors in advance of the ETA requirements and it is easy to access online.</p> <p>Council Officers will continue to keep a ‘watching brief’ on the ETA and a further update on the progression of the legislation and how the ETA will operate will be brought to a future Committee for Member update / consideration.</p> <p><b><u>Financial and Resource Implications</u></b></p> <p>There are currently no new financial implications to this report.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>None</p>
<p><b>4.0</b></p>	<p><b>Appendices – Documents attached</b></p>
	<p><b>Appendix 1</b> - Written evidence submitted by NI Tourism Alliance, Tourism NI and Tourism Ireland</p> <p><b>Appendix 2</b> - Minutes of the Northern Ireland Affairs Committee at the House of Commons on 20<sup>th</sup> April 2022</p>