



# UK Post-Brexit Crewing Requirements

Service Delivery - Operational Work Instruction  
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GAC Services (UK) Ltd – Shipping Department



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## 1. Introduction

Foreign crew on vessels within UK waters and ports are subject to strict rules. This document provides an overview of what is required for crew members to embark/disembark vessels within UK waters and ports, and the actions required by UK Customs/Border Force. This document has been updated in line with post-Brexit requirements commencing after 1<sup>st</sup> January 2021.

EU nationals along with those from Switzerland, Norway, Iceland or Liechtenstein will be able to work on vessels operating outside of the 12nm following the guidelines in section 3 (non-UK Nationals) of this document.

\*Please note Irish nationals can continue to work freely in the UK without any visa / permit restrictions, like UK national status.

For crew from the above nations who need to work within the 12nm zone there is an option, outside of a relevant visa (skilled worker), to potentially qualify for the frontier workers permit scheme.

This is a new scheme the UK Government has introduced that can be applied for from the 10<sup>th</sup> December 2020. The current guidelines are quite vague, we understand that below are the ways in which to qualify (we also believe that only crew employed by a UK based firm will qualify for this scheme):

- Must be from EU, Switzerland, Norway, Iceland or Liechtenstein and live outside of the UK.
- Have already worked in the UK before 31st December 2020 (we believe working within the 12nm will apply for this and the employer should be able to confirm same to assist application).
- Must have worked in the UK at least once in every 12-month period since first commencing to work in the UK.

For further information: <https://www.gov.uk/frontier-worker-permit/who-can-apply>

## 2. Non-UK nationals

Non-UK crew members working **within the 12nm border** of the UK will require a UK Working Visa unless the vessel falls under a category of exemption as advised by a local British embassy. GAC UK cannot assist in the visa application process; however, we can issue a Visa Support Letter (**OF02**) to assist the process.

Non-UK crew members who are embarking or disembarking a vessel that is working **outside the 12nm border** will be able to transit through the UK to join or leave a vessel under the ILO108 convention.

Those nationalities that can transit visa free can be classed a visitor in transit to an offshore role for a vessel leaving the 12nm, and receive either a verbal permission to enter as a visitor, or for some nationalities a stamp on arrival. However, they should carry relevant documentation from their employer proving they will be working in the UKCS. They are granted permission to enter as a visitor on arrival if the project is no more than six months, and this can also allow shore leave in the UK during the deployment.

<https://www.gov.uk/government/publications/uk-visa-requirements-list-for-carriers/uk-visa-requirements-for-international-carriers>

It is important to note that crew members without valid visas or permits for working within the UK 12nm border must only be joining a vessel when it has confirmed work outside of the 12nm zone. Crew members without the relevant visa or work permit are not permitted to join a vessel that is going to be laid up for an indefinite period in the UK.

The [Offshore Wind Immigration construction workers concession](#) that has been in place to allow ILO108 seafarers and now Visa Free nationals to work within the UK 12nm border will currently end at 23:59 on 30th June 2022. Crew working on these projects must obtain the relevant visa or permit to work should this not be renewed past this date.

### 3. Joining a vessel

When joining a vessel, if a crew member is not in possession of a visa, but has a valid ILO108 ratified Seamans book (further information below), an Immigration Support Letter (ISL) (OF01) is recommended from the local Ship Agency (or as a minimum relevant employment/contract letter from employer if from a visa free nation) and the crew member must carry a valid Passport/Identity Card plus the Seamans book. The information on the ISL must match the details of these documents for smooth embarkation to vessel.

### 4. Seafarers joining ships in the UK where the 1958 convention applies

Seafarers travelling under contract to join a ship in the UK need entry clearance (if they are visa nationals), unless they hold a document issued by a country which has ratified the 1958 International Labour Organisation (ILO) 'seafarers identity documents convention No. 108' –

<https://www.gov.uk/government/publications/seafarers-crm01/seafarers-crm01> The document must state that it is issued under the convention, but the holder does not need to be a national of that country and can also be a stateless person to be considered visa exempt.

## 4.1 Countries which have ratified the 1958 ILO convention

The convention has been ratified by the following countries:

- Algeria
- Angola
- Antigua & Barbuda
- Barbados
- Belarus
- Belize
- Brazil
- Bulgaria
- Cameroon
- Canada
- Czech Republic
- Cuba
- Denmark
- Djibouti
- Dominica
- Estonia
- Fiji
- Finland
- Ghana
- Greece
- Grenada
- Guatemala
- Guinea-Bissau
- Guyana
- Honduras
- Iceland
- India
- Iran
- Iraq
- Irish Republic
- Italy
- Kyrgyzstan
- Latvia
- Liberia
- Lithuania
- Luxembourg
- Malta
- Mauritius
- Mexico
- Morocco
- Norway
- Panama
- Poland
- Portugal
- Romania
- Russian Federation
- St Lucia
- St Vincent & The Grenadines
- Seychelles
- Slovenia
- Solomon Islands
- Spain
- Sri Lanka
- Sweden
- Tajikistan
- Tanzania
- Tunisia
- Turkey
- Ukraine
- United Kingdom
- Uruguay

For the latest guidelines from UK Border Force [click this link](#).

To clarify, a seaman travelling on duty, who is a visa national (including those in transit through the UK) does not need a UK visa if they hold a Seaman's Book issued by one of the ratified countries listed above, which also contains a statement that it is issued under ILO108 or ILO185 (having previously ratified ILO108).

**The seaman does not need to be a national of the country that issued the document.**

GAC UK can issue an Immigration Support Letter as a supporting document to seaman travelling on Seaman's Book in lieu of a valid UK join ship or business visa.

Visa national seafarers who do not have an ILO108 Seaman Book as listed above must apply for a relevant join ship or business visa in their home country and be in possession of the required visa before travelling to the UK. GAC UK can issue a Visa Support Letter (OF02) to support the visa application claim.

## 5. Seafarers joining a ship in the UK where the convention does not apply

The seaman must satisfy the Entry Clearance Officer (ECO) from UK Border Force that they:

- Have bona fide documentary evidence of identity and status;
- Are under contract to join, as a member of its crew, a ship in British waters and which is leaving British waters;
- Do not intend to take other employment;
- Do not intend to base themselves in the United Kingdom;
- Intend to leave the UK on the next sailing;
- Are not a person whom any of the general grounds for refusal or leave to enter set out in [paragraph 320 or 321](#) apply.

The ECO may issue entry clearance if they are satisfied that the joining ship is already at the designated port or will be when the seaman arrives there.

## 6. Seafarers and work permits

Under [paragraph 128](#) of the immigration rules, a seafarer will need a work permit to:

- Join ferries operating between two UK ports, including ports in Northern Ireland, but not the Channel Islands or Isle of Man;
- Join 'ro-ro' services between UK ports which carry twelve or more lorry drivers;
- Join dredgers operating wholly or largely within UK waters; or
- Join scheduled domestic freight services between UK ports.

Work permits are not required by the following:

- Those joining ferry services to ports outside the UK, including ports in the Channel Islands and Isle of Man;
- Those joining ships which will be operating out of a single UK port but where the voyage is primarily outside UK waters, for example, voyages to offshore installations, offshore dredging and dumping operations;

- Entertainers, hairdressers and others not strictly crew members who are joining a ship to work on it during its voyage may be treated as contract seafarers, that is, not needing work permits, provided you are satisfied that they are due to leave the UK on the ship's next sailing.

Please note – any Visas required must be issued prior to travelling in the country of origin.

## 7. Crew transferring from vessel to vessel within the UK

For all Non-UK nationals, or crew not in possession of a valid UK visa, requiring to transfer from one vessel to another, clearance must be sought from the local immigration/Border Force office (via your local GAC ship agency office) to ensure crew members are compliant with UK Immigration law.

## 8. Crew signing off from a vessel in the UK

All Non-UK nationals, or crew not in possession of a valid UK visa, must either attend an immigration interview with Border Force prior to departure or discuss with local GAC office to seek signed repatriation letter, or written email confirmation, from Border Force before off signing from vessel (that needs to be carried with them until departure from the UK).

## 9. Non-crew who need to work on a vessel in the UK

Non ship crew (project personnel for mob/demob, Technicians, Engineers etc) who need to travel to the UK to work on a vessel in UK port, who cannot be classed as a 'seafarer' and that are not sailing with the vessel outside of the 12nm, will need to ensure they have the right permissions or permit in place to allow them to work in the UK.

For anyone that is from a country which is classed as a '[visa national](#)' entry to the UK would only be granted with a valid visa specific for the work they are undertaking, or they may be able to arrive to the UK on a visitor visa depending on the work. This can be sought from an embassy or through a visa specialist firm (GAC can assist in liaising with a visa specialist if required).

Non-visa nationals (any person from a country not on the visa national list) can arrive to the UK without the need for a visa to undertake a certain number of activities in terms of business, however close attention must be paid to the following immigration working rules for 'visitors' V4.4 – V4.6. If you are unsure whether you would qualify to carry work out on a vessel in a UK port under these rulings please contact the local GAC office who will liaise with Border Force and attempt to seek clarification.





V 4.4. The applicant must not intend to:

- (a) work in the UK, which includes:
  - (i) taking employment in the UK; and
  - (ii) doing work for an organisation or business in the UK; and
  - (iii) establishing or running a business as a self-employed person; and
  - (iv) doing a work placement or internship; and
  - (v) direct selling to the public; and
  - (vi) providing goods and services,

unless expressly allowed by the permitted activities in Appendix Visitor: Permitted Activities, Appendix Visitor: Permit Free Festivals or the Permitted Paid Engagements in V 13.3; or

- (b) study in the UK, except as permitted by Appendix Visitor: Permitted Activities (and provided they meet the relevant additional requirements for study); or
- (c) access medical treatment, other than private medical treatment or to donate an organ (for either of these activities they must meet the relevant additional eligibility requirements); or
- (d) get married or form a civil partnership, or give notice of intention to marry or form a civil partnership, unless they are applying for entry clearance endorsed for a marriage or civil partnership visit.

V 4.5. Permitted activities must not amount to the visitor undertaking employment, or work which amounts to them filling a role or providing short-term cover for a role within a UK based organisation and where the visitor is already paid and employed outside of the UK they must remain so.

V 4.6. The visitor must not receive payment from a UK source for any activities undertaken in the UK, except for the following:

- (a) reasonable expenses to cover the cost of their travel and subsistence, including fees for directors attending board-level meetings; or
- (aa) International drivers undertaking activities permitted under PA 9.2. or;
- (b) prize money; or
- (c) billing a UK client for their time in the UK, where the applicant's overseas employer is contracted to provide services to a UK company, and the majority of the contract work is carried out overseas (payment must be lower than the amount of the applicant's salary); or
- (d) multi-national companies who, for administrative reasons, handle payment of their employees' salaries from the UK; or
- (e) paid performances at a permit free festival as listed in Appendix Visitor: Permit Free Festivals, where the applicant is an artist, entertainer or musician; or
- (f) Permitted Paid Engagements, where the requirements of V 13.1. to V 13.3. are met.

All immigration rules and information (including the list above) relating to people coming to the UK to work on a vessel as a 'visitor' can be accessed in [this UK Government link](#).

## 10. Supporting documentation

Ref.	Title & Description
OF01	Immigration Support Letter
OF02	Visa Support Letter

GAC cannot issue an 'OK to Board' Letter as we cannot accept any responsibility for the crew member until they arrive into the UK, at which stage a ISL would be issued.