LIMITED CONCESSION FOR NON-EUROPEAN FISHERMEN TO WORK IN FISHING VESSELS OPERATING IN UK TERRITORIAL WATERS

Read online (full-text search, related cases, audio case brief): https://batas.org/library/4ae72986ecd5/

Further to Advisory No. 09, series of 2009, on the deployment of Filipino fishermen in the UK fishing industry, please be advised that the UK Border Agency (UKBA) issued limited concession for fishing vessels operating in UK territorial waters. The new policy granting limited concessionary visas to non-EU crew including Filipinos, commenced on 01 March 2010 and will end on 01 September 2011. (Applications under this concession must be made not later than 31 May 2010). Under the concession, non-European fishermen can work in UK fishing vessels operating within the 12 mile limit in UK territorial waters, subject to certain requirements and criteria which are, among others:

1. The employment of crewmembers should be on fishing vessels operating in UK waters within the 12 mile limit and excludes those which are operating in international waters. However, fishing vessels that operate in both domestic and international waters are also covered if they spend more than 30% of their time in UK territorial waters.

2.The applicant must currently be employed or have been employed for the past 12 months prior to the application, on a fishing vessel operating in UK.

3. The contract of employment with employer must be compliant with the UK minimum wage regulations of GBP5.80 per hour and relevant tax and national insurance regulations, The concession is not open to self-employed or shared fishermen.

4. The UK employer must provide satisfactory shore-based accommodation, which is mandatory if the fishing vessel is under 24 meters in length. If the vessel is more than 24 meters in length and it is proposed to accommodate crew on the vessel while in port, the employer must secure a satisfactory vessel accommodation from the UK Maritime and Coastguard Authority (MCA)4.

5. Written confirmation from the employer that before commencing employment at sea, the applicant has received or will receive within one month of the grant of any authorized stay, health and safety training in accordance with the Fishing Vessels (Safety Training) Regulations 1989 as amended by S12169/2004 Fishing Vessels Safety Amendment Regulations 2004 outlined in Merchant Shipping Notice Number M1367 and MGN 404.

6. Guarantee letter from the owner/agent on the costs and travel arrangement for the repatriation of the fisherman on the completion of his contract.

Applicants must submit all of the required documents as listed or their application will be refused.

For the full details of the rules governing the application process, including details of visa fees and application form, please visit the UK Border Agency (UKBA) website at www.ukba.homeoffice.gov.uk/workingintheuk/othercatgories/contract-seaman/eligibility

For the information and guidance of all concerned.

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