

Getting an exemption from maritime security notifications if there's no Brexit deal

Summary

How shipping companies would be affected if the UK leaves the EU with no deal.

Detail

If the UK leaves the EU in March 2019 without a deal, find out how this would affect companies that are currently exempt from providing security pre-arrival information for scheduled services between the UK and EU ports.

See also:

* [Recognition of seafarer certificates of competency if there's no Brexit deal](/government/admin/publications/875508)

* [Trading with the EU if there's no Brexit deal](/government/publications/trading-with-the-eu-if-theres-no-brexite-deal)

A scenario in which the UK leaves the EU without agreement (a 'no deal' scenario) remains unlikely given the mutual interests of the UK and the EU in securing a negotiated outcome.

Negotiations are progressing well and both we and the EU continue to work hard to seek a positive deal. However, it's our duty as a responsible government to prepare for all eventualities, including 'no deal', until we can be certain of the outcome of those negotiations.

For two years, the government has been implementing a significant programme of work to ensure the UK will be ready from day 1 in all scenarios, including a potential 'no deal' outcome in March 2019.

It has always been the case that as we get nearer to March 2019, preparations for a no deal scenario would have to be accelerated. Such an acceleration does not reflect an increased likelihood of a 'no deal' outcome. Rather it is about ensuring our plans are in place in the unlikely scenario that they need to be relied upon.

This series of technical notices sets out information to allow businesses and citizens to understand what they would need to do in a 'no deal' scenario, so they can make informed plans and preparations.

This guidance is part of that series.

Also included is an overarching framing notice [ADD WEB LINK] explaining the government's overarching approach to preparing the UK for this outcome in order to minimise disruption and ensure a smooth and orderly exit in all scenarios.

We are working with the devolved administrations on technical notices and we will continue to do so as plans develop.

Purpose

This notice informs companies that are currently exempted from providing security pre-arrival information for scheduled services between the UK and the EU ports that:

- in a no deal scenario they will need to provide this information
- they should plan accordingly by engaging with EU countries to understand what information they would be required to provide and how it would be submitted

Before 29 March 2019

Under Article 6 of EC Regulation 725/2004, shipping companies (including ferries carrying passengers and lorries) are required to submit security information prior to entering an EU port. Sometimes this is referred to as a pre-arrival notification (PAN). It may include the following information:

- particulars of the ship
- last 10 port facilities of call
- special or additional security measures taken by the ship
- details of any ship to ship activities
- crew list
- passenger list

Article 7 of the regulation allows EU countries to issue exemptions from the requirement to provide this information to companies operating scheduled services between ports located in their territory, or between ports within their territory and that of another EU country.

After March 2019 if there's no deal

Article 7 only allows an EU country to issue an exemption for services between its territory and that of another EU country. Therefore, in a 'no deal' scenario EU countries would be unable to issue exemptions to vessels, irrespective of registration / flag, operating scheduled services from the UK.

What you would need to do

Companies holding these exemptions should prepare for a scenario after exit in which submission of security pre-arrival information (as set out in Article 6) would be required before their vessels were permitted to enter the port(s) of an EU country. This requirement would come into effect as soon as the UK leaves the EU.

Shipping companies should engage with EU countries to ensure they are prepared for a 'no deal scenario' and understand what information they would be required to provide and how it would be submitted.

The UK government intends to continue issuing exemptions for scheduled services from an EU country to a port in the UK, or between ports in the UK, after EU withdrawal, regardless of the outcome of negotiations.

This is subject to a set of conditions which would be similar to those currently placed upon existing exemption holders.

More information

For more information, please contact <maritimesecurity@df.gov.uk> with 'Pre-arrival exemption' in the email subject line.

Find out more about:

- * [Recognition of seafarer certificates of competency if there's no Brexit deal](/government/admin/publications/875508)
- * [Trading with the EU if there's no Brexit deal](/government/publications/trading-with-the-eu-if-theres-no-brexite-deal)

We will publish more information in the coming months. We aim to give businesses and individuals as much certainty as possible as soon as we can, and to ensure that any new requirements are not unduly burdensome.

This notice is meant for guidance only. You should consider whether you need separate professional advice before making specific preparations.

It is part of the government's ongoing programme of planning for all possible outcomes. We expect to negotiate a successful deal with the EU.