



Home Office

Home Secretary

2 Marsham Street
London SW1P 4DF
www.gov.uk/home-office

24 April 2023

To whom it may concern,

Home Office visa support for the seafood sector

I am writing to you set out the Government's position on working in UK waters and the support the Home Office can offer the seafood industry when recruiting workers from overseas to work in UK waters.

The Government's longstanding position has been that foreign nationals need permission to work in UK waters and that transit visas have never been an appropriate visa to use to work in the UK. There has been no change in our position with this regard, the Nationality and Borders Act 2022 provision (working in UK waters) simply clarified our position and was debated in both Houses of Parliament during the passage of the legislation between October 2021 and April 2022. The NABA received Royal Assent in April 2022 and was due to be commenced in October 2022 but to provide additional time for industries to fully prepare for any changes needed to ensure full compliance with the UK immigration system we delayed implementing the Section 43 provision until April 2023. These provisions apply equally to all sectors working in UK waters. Given there has been twelve months in which to transition to complying the points-based immigration system, we do not propose any further delays by, for example, offering concessions to requiring work visas for foreign nationals working in UK waters.

In addition, the historical use of transit visas to employ foreign nationals who do the majority of their work in UK waters means they have been working illegally. The Home Office is also concerned about increasing levels of labour abuse being discovered at sea and the sector must tackle these matters urgently. We want to support the seafood industry by providing the routes available to recruit from overseas, should you wish to, whilst also providing safeguards via the sponsorship system for foreign nationals working here.

While the news that there will be no concession to complying with the immigration system may be disappointing, we recognise there will be adjustments required for the industry to become compliant with the immigration system and would like to offer you a premium support package to help you in using the route available to recruit workers from overseas, which is the Skilled Worker route.

The Home Office would like to help producer organisations and individual businesses in the seafood sector understand the immigration system and offer Home Office premium expedited service products at no cost. We have previously offered bespoke services to other sectors to adjust to using the immigration system following the end of free movement. For example, supporting meat producers to use the Skilled Worker route to recruit butchers and supporting the care sector to recruit care workers. Both of these

sectors now use the Skilled Worker route at scale. We are formalising that offer to the seafood sector so we can assist the industry to get to the necessary position of full compliance with the immigration system.

The Home Office would like to do what it can to provide you with the confidence to recruit the workers you need from overseas, where necessary. To assist with this, I have asked the Home Office team to support you by:

- Hosting an initial familiarisation session for key leads from the sector to meet with experts from the Home Office to talk through the system. The team would be able to explain the application and processes and what support they can provide. This would allow sector representatives to raise initial queries direct with the team.
- Working with our commercial partners to ensure there is sufficient English language testing capacity in the locations where workers could be recruited from should this be required (there are a number of exemptions from the requirement to undertake a test). For example, when supporting other sectors we have been able to arrange additional testing capacity in specific recruitment locations.
- Working with our commercial partners to ensure that your workers can access visa application centres (VAC) to give biometrics where you are recruiting non-EEA nationals from overseas. EEA nationals are able to provide biometrics using our Identity Verification App and so do not need to travel to a VAC.
- Once a sponsor licence application is received, expediting the decision-making process for no extra charge.
- Once visa applications are received from your workers, expediting the visa decision making process at no additional charge. Our service standard is 15 working days but we will endeavour to make decisions in 8 to 10 days.
- Appointing a dedicated point of contact in UK Visas and Immigration.

Our standard eligibility and suitability rules will continue to apply.

This offer goes above and beyond the services normally available to employers seeking help to use the immigration system. For example, businesses wanting an account manager and support to use the system normally have to pay £25,000 per year (for medium and large) or £8,000 per year (for small and charitable) in order to be assigned an account manager under the premium customer services product, and to be eligible must already have an employer licence and have demonstrated compliance. In addition, expedited sponsorship licences normally cost an extra £500 per application with only a small number of applications every working day allocated in the order that requests arrive (first come, first served), and priority services for expedited visas normally cost £500 per application in addition to the usual application fee.

If you would like to take advantage of this additional support we need some information from you to ensure the Home Office can fulfil its commitments and make quick progress on sponsor and visa applications:

To assist you with expediting sponsorship licence applications, we need:

- Estimates of volumes of companies requiring a sponsor licence

- Estimates of whether the majority will have a land-based head office location
- Details of regulatory requirements which could apply to the sector, for example registration with Maritime & Coastguard Agency

To assist you with English language testing availability, we need:

- Estimates of volumes of workers needing English language tests;
- Timescales of when the workers would be seeking to take tests;
- Locations where the workers would be seeking to take tests.

To assist you with Visa Application Centre Appointments for Non-EU nationals

- Estimates of volumes of non-EU nationals
- Timescales in which they are likely to apply following the successful completion of the English Language Test
- Locations from which the individuals would be seeking to apply

To expedite visa applications, we need:

- The names, birthdates and nationalities of any current and future visa applicants;
- The visa application reference numbers of any visa applications, once they have been submitted.

In addition, if any businesses would like a session on how the immigration system works or demystifying any of our processes, then we would be more than happy to set these up. If you could provide a contact, the Home Office will get these sessions in the diary where we can discuss how to coordinate expediting the relevant applications without the requirement for any priority processing fee.

To further enhance our support for the seafood industry, we are also considering further options and will communicate with you again with further updates.

The UK Government wishes to ensure the success of the British seafood sector, while maintaining a consistent position on the protection of the border. I hope you will see the above offer as evidence of our willingness to do what we can to support you.

Yours sincerely,



Rt Hon Suella Braverman KC MP