

**CHAPTER 16
SECTION 2****ANNEX E****MEMBERS OF AIRCREW****AIRCREW BASED IN THE UNITED KINGDOM****1. INTRODUCTION**

Overseas airlines sometimes seek permission to station aircrew in the United Kingdom on a long-term basis. Applications for general approval received direct from airlines by officers-in-charge of airports should be forwarded to INPD with a report giving the reason for the request and any other relevant information.

At present, concessionary arrangements, outside the Rules, have been made to allow the following 4 airline operators to base limited numbers of overseas flight crew in the United Kingdom:

United Airlines
Japan Airlines

Saudi Arabian Airlines
Virgin Atlantic Airlines

All such crew are based at Terminal 3, Heathrow, and are administered by the ALE Section there, which maintains an index of operational crew members. Any change in the status of United Kingdom based crew of these airlines (eg to foreign spouse status) should be notified to ALE Section (via INPD in the case of ICD caseworkers) to avoid any inappropriate follow-up action being taken at port.

2. ENTRY REQUIREMENTS

Work permits are not required but on initial arrival, attendants must produce a letter from the airline operator confirming that the holder is coming to join the crew base in the United Kingdom. Visa nationals must be in possession of a visa endorsed "For Employment with".

In all cases where admission is sought in this capacity, reference should be made to the ALE Section at Terminal 3, giving full details where there is any doubt concerning the status of the passenger. If the matter cannot be sorted out immediately, the case should be transferred to Terminal 3.

3. LEAVE TO ENTER FOR AIRCREW BASED IN THE UNITED KINGDOM

- * flight attendants should be granted leave to enter on Code 4 for the period of the assignment, up to a maximum of 12 months;
- * foreign nationals, aged 16 and over, are required to register with the police;

3.1. "ALE" Endorsement in passport and on landing card

In the case of all persons in this category and their dependants:

- * the letters "ALE" should be entered in the arrival number box in the endorsement placed in the passport and the landing card should be clearly signalled "ALE" in the unshaded part of the box at the top of the card; and
- * the name of the appropriate airline and the port at which the employee is based should be noted on the landing card, which should be sent, in accordance with local procedures, to the port in question.

3.2. Embarkation cards

When a United Kingdom based crew member or his dependant embarks as a passenger, the embarkation card should be signalled "ALE" and the expiry date of the latest limited leave imposed should be recorded in the appropriate box. The card should be sent to the appropriate port, *not to Home Office*.

4. AIRCREW BASED IN THE UNITED KINGDOM ARRIVING AS PASSENGERS

Whenever such a person arrives *as a passenger*, he requires leave to enter. Persons who arrive more than 2 months before the expiry of their previous ALE conditions may normally be given leave to enter under Section 3(3)(b) in the usual way.

The landing card and passport should be marked 'ALE' as outlined in paragraph 3.1. above and the name of the appropriate airline and the port at which the crew member is based should be noted on the landing card, which should be sent, in accordance with local procedures, to the port in question.

4.1. Action where leave has expired or will expire within 2 months

Persons in this category *must not* be granted 2 months leave in lieu of expiring conditions. This can create problems where the local ALE office wish to ensure the departure of certain flight attendants. Some crew members may also use the "2 months in lieu" to avoid contact with the ALE office.

Such persons should therefore be given leave up to the expiry of their previous conditions. If that date has passed, they *should not* be given leave to enter without reference to the ALE office concerned.

5. AIRCREW BASED IN THE UNITED KINGDOM ARRIVING AS CREW

Under Article 5(1)(e) of the Immigration (Exemption from Control) Order 1972, an aircrew member who is based in the United Kingdom does not require leave to enter when he returns *as a crew member*, even if he is not to leave again within 7 days, *provided that his previous leave has not expired*. Any previous leave granted to him remains in force.

The exemption does not apply if the aircrew member is either:

- * the subject of a deportation order;
- * has previously entered the United Kingdom unlawfully and has not subsequently been given leave to enter or remain; or
- * is required by an immigration officer to submit to examination.

6. EXTENSIONS OF STAY

Applications for leave to remain in this category are dealt with by the ALE Section at Terminal 3. *Any such applications received by ICD caseworkers should be referred to the port via Passenger Casework Section.*

Extensions of stay may be granted to permit such staff to remain at the United Kingdom base for 12 months at a time for up to a maximum of 3 years before transferring to another base abroad. In some circumstances, after 2 years abroad, a final 3 years may be permitted at the United Kingdom base. *Flight attendants given leave under these arrangements are not eligible to apply for indefinite leave to enter.*

7. DEPENDANTS OF AIRCREW BASED IN THE UNITED KINGDOM

- * an aircrew member admitted on this basis may be accompanied or joined by his spouse and unmarried children under 18. Dependants require entry clearances, but non-visa foreign nationals should not be refused entry solely on the ground that no entry clearance is produced;
- * dependants should be given leave to enter on Code 1 for the period of the crew member's authorised stay within the normal returnability rules. A foreign national aged 16 years or over whose spouse/parent has been required to register with the police should also be required to register.

- * the procedure for the endorsement of passports and landing cards described in paragraph 3.1. above should be followed. Landing cards should be sent to the airport from which the crew member operates and not to Home Office.

8. "WET LEASE" ARRANGEMENTS (AIRCREW ACCOMPANYING LEASED AIRCRAFT)

Any matters arising from a "wet-lease" arrangement, whereby the aircrew accompany aircraft leased by airlines for the duration of the lease should be referred to the Chief Immigration Officer responsible for the ALE Section at Terminal 3.