

Briefing Paper: Implications of 'No Deal' Brexit for Travel and Aviation

Key Messages

- No Deal preparations have only focused on the short-term, many mitigating measures are temporary and will expire two - five months after No Deal. The long-term situation remains unknown.
- Despite a number of short-term agreements, the UK still not prepared for No Deal.
- UK citizens would become third-country nationals and subjected to immigration controls and Schengen border code processes.
- The UK would cease to be part of the European Common Aviation Area, meaning UK airlines will immediately lose the right to provide intra-EU flights.
- Loss of a number of rights UK citizens have become accustomed too, for example no roaming charges when in the EU and access to healthcare with European Health Insurance Cards.

Current Situation

- As a member of the EU, UK citizens have the right to travel freely throughout the EU and enjoy access to healthcare in all EU countries in the same way as local residents.
- UK driving licenses are recognised by the EU.
- When traveling throughout the EU, UK mobile phone customers can use their domestic allowance of minutes, text messages and data without incurring additional charges.
- UK based airlines can operate intra-EU flights without the need for either the origin or destination to be a UK airport.

No Deal Preparations

- The EU's regulation to allow continued UK-EU air traffic is only valid for five months after No Deal.
- The EU's regulation for aviation safety contingency measures are only valid for two months after No Deal
- The EU's plans to allow security screening requirements for all direct passenger flights to and from the UK ("one-stop security") are only valid for two months after No Deal.
- Aviation safety unilateral contingency regulations have been put place for those certificates and permits that cannot be exchanged or replaced with the correct ones prior to the UK's exit from the EU. However, these measures expire on 31 December 2019.

UK unprepared for No Deal

- It is currently unclear what the UK's relationship with the European Food Safety Authority would be.
- EU-originating freight and EU-bound freight will be subject to full UK customs processes, and where relevant, processes such as sanitary and phytosanitary. However, there are concerns over Defra's capacity to execute these checks.
- Industry experts believe there are currently insufficient ATA carnets (passport for goods) planned for temporary export and import of non-perishable goods.
- The AOA has raised concerns that there is not sufficient capacity in animal reception centres across the UK for pets and other animals travelling to the UK.

Passports

- The current default status for the EU is that UK citizens become third-country nationals. UK citizens would have to get their passports stamped upon arrival and would subject to Schengen border code processes, creating longer delays clearing immigration.
- It is expected that most EU countries will require UK nationals to have passports that have six months' validity remaining (i.e. were issued less than 9 years and 6 months prior to arrival). Until very recently, UK passports could be valid for longer than ten years, as up to nine months of the remaining validity on an old passport was transferred to a new one. This additional validity will no longer be accepted by the EU.

- It is expected the UK will receive unlisted status for the purpose of animal travel, meaning that UK-issued pet passports will no longer be valid. Travellers would have to apply for an Animal Health Certificate, which takes around four months. This also applies to service animals, like guide dogs.

Driving licences

- The default position is that EU countries will no longer recognise UK-issued driving licences and anybody driving a car in the EU (both their own and a hire car) has to have an International Driving Permit. While the UK has concluded some bilateral agreements with some Member States on recognising UK-issued driving licences, the Government is encouraging everyone intending to drive in the EU to apply for an International Driving Permit (IDP).

Travel and Health Insurance

- European Health Insurance Cards (EHICs), which allow travellers to access healthcare from EU countries on the same basis as a local resident, may no longer be valid and travellers should ensure they have adequate travel and health insurance.

Visas

- UK citizens arriving in the Schengen area for a short stay (90 days in any 180 days) should be granted visa free travel. According to EU rules, visa exemption is granted on condition of reciprocity. The UK government has stated that it does not intend to require a visa from EU citizens travelling to the UK for short stays. In the event that the UK introduces a visa requirement for nationals of at least one Member State in the future, the existing reciprocity mechanism would apply, and the three EU institutions and the Member States would undertake to act without delay in applying the mechanism.

Borders

- Home Secretary Priti Patel announced on 18 August 2019 that freedom of movement would end on 1 November in a No Deal scenario and that she intends to see full criminality checks to be conducted.
 - This would require primary legislation, for which there is too little time.
 - It is unclear how this would be implemented in practice, e.g. whether this would mean EU citizens would no longer be eligible for ePassport gates. There are legal and proportionality concerns around this, given citizens from Australia, Canada, Japan, New Zealand, Singapore, South Korea and the USA would continue to be eligible for ePassport gates.

Flight Access

- Airlines will continue to be able to fly between the UK and the EU. However, UK airlines will immediately lose the right to provide intra-EU flights in a no-deal Brexit scenario.

**The CGE wishes to thank the Airline Operators Association (AOA) for providing information for this research paper.*

Further reading

Civil Aviation Authority, <https://www.caa.co.uk/Our-work/About-us/Brexit/> and <https://info.caa.co.uk/brexit/>

International Air Transport Association, *A study of the effects of the United Kingdom leaving the European Union on airlines flying to and from the UK*, <https://www.iata.org/policy/consumer-pax-rights/Documents/iata-brexit-study.pdf>

House of Commons Library, *Mobile roaming in a 'no deal' Brexit*, <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-8649>

House of Commons Library, *Brexit: Impacts on holidays and travel*, <https://commonslibrary.parliament.uk/economy-business/transport/brexit-impacts-on-holidays-and-travel/>

House of Commons Library, *Brexit and Pet Travel*, <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-8667#fullreport>

AOA Brexit Updates, https://www.aoa.org.uk/brexit_updates/