

RYA BRIEFING: THE FUTURE OF THE RECREATIONAL CRAFT SECTOR

The UK is currently negotiating its future relationship with the European Union (EU) and with that the future of the recreational craft sector. There are a number of changes that without intervention during the future relationship negotiations, will have a significant and detrimental impact on recreational boat users.

This briefing outlines the key areas of concern to the recreational boating sector and recreational boat users at the end of the current transition (implementation) period which include:

1. The impact of the Schengen Agreement restrictions on the ability of UK Citizens to travel freely within EU territory; and
2. The impact of designated ports of arrival / departure on recreational boating safety; and
3. The acceptance of UK issued qualifications by EU Member States; and
4. The ability of UK citizens that have RYA qualifications to travel freely to and from the European Union for work, often seasonal, that requires those qualifications.

Failing to address each of these issues would have significant downsides for recreational boaters.

Schengen Agreement restrictions on recreational boating in the EU territory

The UK Government has indicated that European Economic Area (EEA) and Swiss nationals will be treated as non-visa nationals and therefore able to travel to the UK for trips of less than six months without needing a visa.

There has however, so far, been no indication that the UK is seeking reciprocity from the Governments of these countries, to ensure that UK Citizens are able to visit each of these countries on a visa-free basis for up to six months. Current information suggests that UK Citizens will only be able to visit the Schengen Area, which is comprised of 26 countries, for a maximum of 90 days in any 180 day period. The extent of the Schengen area is displayed on a map at https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/schengen_visa_en.

Many UK Citizens own recreational boats which they currently keep in EU Member States. Assuming that these boats have Union status and are lying in the EU at the end of the Transition Period, they will remain in free circulation while they remain in the EU. Restricting the owner's time in the Schengen Area in this way will either mean that owners can only use their boat for about half of the 6 month recreational boating season particularly in the Mediterranean and Baltic seas or they will be forced to leave the Schengen area for part of the recreational boating season (which will be exceptionally difficult in some locations, particularly for recreational boaters enjoying the European Inland Waterways). Either way, the EU will not benefit from the economic contribution they would otherwise be making whilst using their boat in the EU.

Long-term tourists generally make a significant contribution towards the local economies of the places that they visit and this certainly the case for recreational boaters. Recreational boat tourism forms a key component of the European Commission's coastal tourism strategy.

The European Commission recognised the difficulty that the Schengen Agreement caused to long-term tourists as long ago as 2001. A regulation, to address the problem was [published for consultation](#) in 2014 but was not progressed.

The RYA strongly encourages the Government to negotiate with the European Union a reciprocal arrangement whereby UK citizens wishing to visit the Schengen area post-Brexit may do so for a period of time equivalent to that for which EU citizens will be permitted to visit the UK.

The impact of designated ports of arrival / departure on recreational boating safety

At present recreational boaters are able to move freely from the UK to any of the EU Member States without undue administrative burdens. Although in theory there is a requirement to clear immigration on arrival in the Schengen Area, recreational boaters have been free to arrive at any port or marina or simply anchor somewhere without needing to first seek immigration clearance. The same has been the case for recreational boats arriving in the UK.

Indications from the UK Government suggest that this will remain the case for the UK, although a system for requiring pre-notification of who will be entering the UK and when is being developed. The RYA is working with the UK Government to ensure that this system does not impinge on recreational boating safety.

It has been suggested, in particular by France, that boats arriving in France from the UK will be required to complete formalities on arrival and that this will involve arriving at specified ports of entry. Such restrictions could see recreational boaters put in situations where due to the weather conditions or tidal constraints, their safety may be compromised.

The UK Government is asked during the future relationship negotiations, to seek for reciprocity so that after the end of the transition period recreational boaters arriving from the UK may continue to arrive in and depart from the European continent using the locations and times dictated by the weather and tides, rather than those dictated by customs and immigration officials.

Clarity regarding the arrangements for the arrival and departure of UK recreational craft should be sought from the EU by the UK Government, to ensure the safety of General Maritime traffic between the UK and the EU.

The acceptance of UK issued qualifications by EU Member States

Evidence of competence for recreational boating is generally a matter for domestic/national legislation. A vessel must comply with the legislation of its country of registration (Flag State) wherever in the world it may be. When you visit another country, in most circumstances (as detailed in the United Nations Convention on the Law of the Sea) you can be required additionally to comply with the maritime legislation of the visited country (the Coastal State).

Where evidence of competence is required by the legislation of the Flag State, pleasure boaters must comply with those regulations. Additionally, when in the waters of another country you must also comply with any requirements of the Coastal State.

Therefore whether acceptance of certificates issued in the UK will change with the end of the Transition Period, when the UK ceases to be treated as an EU Member State, is a matter that will be determined by the legislation of the country in which the boat is registered and the country in which the boat is being used.

The transition period ending will not change the competence of the certificate holder, yet there are already indications that UK issued certificates may become unacceptable under Spanish legislation unless the necessary steps are taken.

Many Citizens of EU27 countries have undertaken recreational boat training through the RYA, therefore it is not only acceptance of certificates held by UK Citizens that may be impacted but also UK issued certificates held by EU Citizens, who had no say as to whether the UK left the EU or not.

The RYA urges the UK Government to take steps in the negotiations to ensure that any certificates that were acceptable in other EU Member States prior to the UK leaving the EU should remain acceptable thereafter, whether held by UK or EU Citizens. Where this is a matter for national/domestic legislation the EU should be asked to ensure that Member State Governments take the necessary steps to ensure that Citizens are not penalised.

Furthermore, where UK issued certificates cease to be valid in some or all EU Member States, this would impact on tourism and yacht charter businesses in those countries as holders of UK issued certificates would no longer be able to evidence their competence to operate boats on those countries waters and on their canals, rivers and lakes.

Eligibility of UK citizens holding RYA qualifications to work in EU member states

Without intervention during the future relationship negotiations, we believe there will be onerous restrictions placed on a significant proportion of the RYA's **24,979 qualified instructors** as they travel to and from the 249 RYA Recognised Training Centres throughout the EU, damaging UK exports in an area where we are currently an EU leader

We believe that UK citizens employed or self-employed in the UK holding RYA qualifications should continue to have the ability to visit EU member states on business (relevant to those qualifications) without having to obtain a visa.

UK citizens holding RYA qualifications should be able to obtain the necessary permissions to live and work in EU member states in seasonal and permanent occupations relevant to those qualifications with as little administrative burden and cost as possible.

If you would like to support RYA or request more information please contact:

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