

IMMIGRATION DIRECTORATE INSTRUCTIONS (May 2009)

Chapter 17

Section 4 - Off-shore workers

Contents

[1. Introduction](#)

[2. Leave to enter](#)

[2.1. Granting leave to enter](#)

[2.2. Dependants](#)

[2.3. Police registration](#)

[2.4. Refusal of leave to enter](#)

[3. Leave to remain](#)

[3.1. Granting leave to remain](#)

[3.2. Dependants](#)

[3.3. Switching](#)

[3.4. Refusal of leave to remain](#)

[4. Settlement](#)

1. Introduction

United Kingdom immigration legislation does not extend to installations operating **wholly** at sea on the United Kingdom continental shelf. We cannot prohibit overseas nationals from taking employment on off-shore installations. Off-shore workers usually work on a rota basis spending a number of weeks working followed by an equal number of weeks on shore leave. They often base themselves and their dependants in the United Kingdom. They do not require permission under the Points Based System (PBS) for their off-shore employment, but they and their dependants **do** require leave to enter or remain.

[\[back to top\]](#)

2. Leave to enter

Subject to normal visa requirements, off-shore workers are allowed to live in the United Kingdom during their shore leave outside the immigration rules. Their dependants are also exceptionally allowed to base themselves in the United Kingdom.

2.1. Granting leave to enter

If the immigration officer is satisfied that the person only intends to work in off-shore employment, leave to enter should normally be given for 12 months Code 2. Entry clearance is **not** mandatory for non-visa nationals. Permission under PBS is **only** required if **any** part of the work will be on-shore within the United Kingdom.

2.2. Dependants

Dependants of off-shore workers who intend to base themselves in the United Kingdom should be given leave to enter for the same period as the worker's leave to enter on Code 1.

2.3. Police registration

Off-shore workers are **not** required to register with the police. **Dependants** of off-shore workers, however, **are** required to register if [paragraphs 325 and 326](#) of the immigration rules apply.

2.4. Refusal of leave to enter

If the immigration officer is not satisfied that the person only intends to work in off-shore employment, leave to enter should be refused on the basis that the person is seeking entry for a purpose for which permission under PBS is required

[\[back to top\]](#)

3. Leave to remain

Applications for leave to remain may be granted as exceptions outside the immigration rules, provided the work will continue to be **wholly** off-shore.

3.1. Granting leave to remain

Leave to remain should normally be granted for up to 12 months at a time on Code 2.

3.2. Dependants

Dependants who are based, or who intend to base themselves, in the United Kingdom should be granted leave to remain for the same period as the worker's leave to remain on Code 1. **Dependants are** required to register with the police if [paragraphs 325 and 326](#) of the immigration rules apply.

3.3. Switching

A person admitted in another category may apply to switch to off-shore employment.

3.4. Refusal of leave to remain

If the employment will not be **wholly** off-shore, leave to remain should be refused on the basis that the person is seeking leave to remain for employment for which permission under PBS is required.

The **General Guidance on Adverse Decisions in IDI Chapter 9, Section 1** gives important advice about the decision-making process and should be consulted whenever refusal of an application is being considered.

[\[back to top\]](#)

4. Settlement

Applications for indefinite leave to remain from off-shore workers and/or their dependants should normally be refused on the basis that their original leave to enter or remain in the United Kingdom was not in a category that leads to settlement. Indefinite leave may be granted, however, if they qualify in some other way under another category of the immigration rules or under a concession that can lead to settlement.

[\[back to top\]](#)