



GOVERNMENT OF SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS

ENTRY CONTROL ORDINANCE 2022

SECTION 9 – SCHEDULE 2 POLICY ON THOSE PERSONS WHO DO NOT REQUIRE AN ENTRY PERMIT (DEEMED PERMISSION)

Summary

This policy provides the Government's interpretation of those who do not require an Entry Permit (Deemed Permission) under Section 9 of the Entry Control Ordinance 2022.

Legal Provisions

Section 9 of the 2022 Ordinance sets out those persons who are considered to have "deemed" permission to enter the Territories and so do not require an Entry Permit under Section 7 of that ordinance. These are set out in Schedule 2 to the Ordinance.

Policy

These provisions should be interpreted in line with the advice set out below.

Part A - Persons who have deemed permission to enter the Territories for work or work-related reasons.

1. Any person who is a member of the naval, military or air forces of the Crown, acting in the course of their duties.

This includes all such persons who are acting in the course of their duties and covers all persons who land in the Territories with the knowledge of or permission from their commanding officer.

2. Any person employed in the civil service of the Crown in right of the Government of the United Kingdom who is required in the course of that employment to work in the Territories.

3. Any person in the service of the Crown in right of the Government of South Georgia and the South Sandwich Islands.

Includes those persons who are employed by the Government of South Georgia and the South Sandwich Islands and/or Her Majesty's Government and are visiting the Territories as a part of their official duties.

4. Any person employed or engaged in the provision of goods or services for the purposes of the Government of South Georgia and the South Sandwich Islands.

Those persons carrying out work for the Government, or under contract (or similar instruction such as a memorandum of understanding) to the Government. This includes

any person sub-contracted to such a person. It does not cover persons who have received a permit or permission from the Government to undertake work in the Territories that is not for or under contract to the Government.

5. Any person who works for or on behalf of the British Antarctic Survey and who is required, in the course of that work, to work in the Territories.

Similar to 4 above, where the term Government of South Georgia and the South Sandwich Islands is replaced by British Antarctic Survey.

6. Any person who lands in the Territories in the course of dealing with, or responding to, an emergency situation affecting others and the Commissioner or the Principal Immigration Officer agrees that such a situation has arisen.

No further interpretation required.

Part B - Deemed permission for ships' crews.

7. Any member of a crew of a vessel in the territorial seas who is required by the master of the vessel to disembark —

(a) for the purposes of re-provisioning, off-loading or loading cargo, repair or maintenance to the vessel; or

(b) to escort passengers who have permission to enter the Territories.

For (a), this covers a member of a crew of a vessel who is required by the master of the vessel to disembark for such purpose. For (b) this includes all persons required to transport passengers from the vessel to the shore, escort passengers while ashore and ensure their safety while on shore or being transported for disembarkation.

Part C - Persons who have deemed permission for other reasons.

8. Any person who is required by law to remain in the Territories.

9. Any person who lands in the Territories by misadventure at sea or in the air, provided that the person either leaves the Territories or applies for a permit at the earliest opportunity.

10. Any person who by reason of illness or injury is unable to leave the Territories or to apply for a permit or an extension to a permit within the specified period.

No further interpretation required.

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Government of South Georgia and the South Sandwich Islands