



SECURING OUR BORDER CONTROLLING MIGRATION

APPROVED GATE CHECK (AGC) STATUS A GUIDE FOR CARRIERS



This fact sheet provides information on how we can help careful carriers reduce the number of charges they incur for inadequately documented passengers through the Approved Gate Check (AGC) scheme.

AGC status is available to carriers that meet specific criteria. If granted to a carrier, AGC status allows certain types of Section 40 charges to be waived thus reducing the number of charges a carrier is liable to pay.

The AGC status scheme is administered by the Carriers Liaison Section (CLS) and sits within the UK Border Agency International Group. CLS is a small friendly team based in offices situated very close to Heathrow Airport. The whole team is involved with the running of the AGC status scheme and all have a good working knowledge of the AGC process.

If you have any queries please do not hesitate to get in touch with us via e-mail or telephone.

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The following is a list of frequently asked questions which you may find useful in helping you to understand the benefits of AGC status.

What exactly is AGC Status?

AGC status is a scheme whereby the UK Border Agency will waive some charges carriers are liable for if the carrier has AGC status. AGC status is granted in return for an audited high standard of document checking and security procedures at a port of embarkation, a good level of co-operation from the carrier and a satisfactory record in paying outstanding charges.

Why should I apply for AGC status?

All carriers operating flights to the UK are liable to a charge (currently £2,000) under Section 40 of the Immigration and Asylum Act 1999 if they transport a passenger to the UK who does not hold a valid immigration document or who does not hold a visa (if required to do so). This legislation currently only applies to non EEA nationals. So for example, South Africans now require visas to enter the United Kingdom. If you carry a South African national to the UK who does not have a visa, you are liable to a charge of £2,000.

AGC status allows for some types of charges to be waived thus reducing the number of charges you are liable to pay.

So, which charges will I *not* have to pay?

If you are granted AGC status on a particular route to the UK i.e. Alicante – UK, then you would not be liable to a £2,000 charge for the following charges:

No Document Arrival (i.e. a passenger fails to produce any document to the Immigration Officer when asked to do so).

Some Mutilated Document Cases (i.e. if a passenger rips out a visa or other endorsement from their passport en route to the UK).

We have also extended the benefits of AGC status by allowing for the waiver of two technical charges per quarter per AGC accredited route (further information on this waiver can be found towards the end of the document).

What is the criteria for achieving AGC Status?

The carrier's main requirements for first achieving, and then retaining, AGC status are as follows (and differ slightly for air and sea carriers):

Airlines

- Where the carrier has outstanding debts under Section 40 of the Immigration and Asylum Act 1999, we will expect prompt payment.
- A document check must be conducted immediately prior to boarding. This should take place at the departure gate or within an adjacent sterile area.
- A full check of the document must be undertaken to ensure that it is valid, that the person presenting it is the rightful holder and that a visa is held if one is required.
- Reconciliation with the details on the passenger's boarding card is necessary.
- There must be an adequate level of security to ensure that these checks cannot be circumvented.
- The checks must be conducted by trained staff at both check-in and at the gate.
- These arrangements must be inspected in advance by the UK Border Agency at the carrier's expense.
- A high standard of co-operation with the UK Border Agency (Immigration Liaison Manager / UK arrival port)

Sea Carriers

- Where the carrier has an outstanding debt in respect of charges incurred under the ICLA or Section 40 of the I&AA, the UK Border Agency will expect prompt payment of those liabilities;
- A document check must be conducted **immediately prior to the passenger entering a secure area** (or in a secure area prior to boarding).
- A full check of the document must be undertaken to ensure that the document is valid, that the person presenting it is the rightful holder and that a visa is held if one is required;
- A high standard of co-operation with the UK Border Agency (Immigration Liaison Manager / UK arrival port).
- All document checks to be conducted by trained staff.
- Accurate manifest checks to be in place, to show that the correct number of passengers have legitimately boarded the vessel.
- Adequate security levels to ensure above checks cannot be circumvented. (Passengers/Vehicles should not be allowed to leave secure zone without permission, neither should there be any opportunity to switch vessels without challenge).
- Adequate passenger detection systems in place where appropriate (this would include vehicle checks) but UK Border Agency consider proposals for AGC status from any ferry operator able to demonstrate an effective and secure system without the use of technology.
- These arrangements must be inspected in advance by a UK Border Agency Representative, at the carrier's expense.

Who can apply for AGC Status?

We consider applications from all carriers including sea carriers, charter airlines and carriers who operate certain routes on a seasonal basis.

Can I apply for AGC status on all routes we operate on?

AGC status will only be granted on international routes to the UK. Domestic flights are not covered by this agreement (and you will not face any potential charges on these routes anyway). You must make an AGC application for each route you want AGC status on. So for example, if you fly from Madrid to Heathrow, Gatwick and Manchester, you put in a single application for your Madrid – UK service. If granted, AGC status applies to all of your flights out of Madrid to any UK airport. You need to repeat this process for all other routes you wish AGC status to apply to.

What if the flight/ship stops off en route to the UK?

If passengers are able to join the service other than at the port to which the AGC application applies, approval can only be considered if the intermediate or originating airport also benefits from AGC status. So, if you fly from Muscat to London via Abu Dhabi (and passengers are able to join in Abu Dhabi), you would have to apply for AGC status at both Muscat and Abu Dhabi.

Can I apply for AGC status straightaway?

If you are applying for AGC status on an established route (i.e. a route which has been operational for more than six months), then yes you can apply for AGC status straightaway. However if you are applying for AGC status on a newly established route, we normally ask that you wait 6 months before applying for AGC status. This gives the route time to become established and also allows us an opportunity to monitor performance (however if your route is seasonal, you should contact the Carriers Liaison Section directly to discuss your AGC application).

How do I actually make my AGC application?

All AGC applications must be made using the official application form which can be found at the following link:

www.ukba.homeoffice.gov.uk/aboutus/workingwithus/transportindustry/rлон/helpptoreducecharges/applyforagc/

Or you can send an e-mail to:

UKBAIGRALONCLS@homeoffice.gsi.gov.uk

and we will forward an application form to you. Please ensure that you fully complete the form. It is especially important that you provide suggested inspection dates so that we can process your application as quickly as possible.

How much does it cost to apply for AGC status?

The UK Border Agency does not charge for AGC status applications. Carriers however are expected to meet costs arising from flights, food and necessary accommodation for UK Border Agency officials, to enable them to carry out an inspection of your operations prior to any grant of AGC status. In accordance with current guidelines, we would expect flights/sailings over three hours in duration to provide an equivalent of business class seats (where flights/sailings are configured with this option).

How long does it take to receive AGC Status?

Once you submit your application form to CLS, we will write back to acknowledge receipt. We will contact you again within two weeks to confirm whether or not we are happy to proceed to an AGC inspection. From the date of your initial application, we aim to complete the AGC inspection within 8 weeks. If your application is successful it will be granted in line with the date our inspection was carried out.

What happens if you decline to carry out an AGC inspection?

Prior to making any AGC application, we encourage all carriers to ensure that they are aware of the AGC criteria. If after careful consideration of your application, we decline to proceed to inspection stage, we will write to you giving full reasons for this. We will also make practical suggestions as to how you can meet the AGC criteria and we will offer our full support and that of the Immigration Liaison Manager (ILM – formerly ALO) if they are available in your area. In many cases, only minor changes need to be made to procedures in order for us to be able to proceed with an inspection and we will do everything possible to enable your application to proceed.

If you decide to carry out an Inspection, what does this involve?

On your initial application form we ask you to provide prospective dates when an AGC inspection could take place. Once we are happy to proceed with an inspection, we will contact you to confirm a suitable date. An inspector will then travel to your station to carry out the AGC inspection. On the day of the inspection, we will look at the general layout of the air (or sea) port and the overall security of the facility. We will observe check in procedures and talk to some of your agents to check their understanding/awareness of UK Border Agency visa requirements etc. We will also observe the final gate check to see what checks are made prior to final embarkation.

For more detailed information on a “typical” AGC inspection, please see the final page of this fact sheet.

What happens once you have completed the AGC inspection?

Once the AGC inspection has been completed, a report will be prepared by the inspector and submitted to the Carriers Liaison Section. We will then review the application once again and make a decision as to whether or not to grant AGC status. You should normally expect to hear from us within two weeks. If you are successful with your application, we will write to you giving details of the approval date. You will also receive a certificate and AGC charter.

What happens if you decline to grant AGC status following your inspection?

If we do decide that it is not possible to grant AGC status, then we will write to you and provide full details of why the application was not successful. Again we will make practical suggestions as to how you can be successful in any subsequent application and we will offer our full support and that of the Immigration Liaison Manager (ILM – formerly ALO) if they are available in your area. In many cases, only minor changes need to be made to procedures in order for us to be able to grant your application.

What happens once you have granted AGC status?

AGC status is initially granted for a period of 6 months. During this period we will carefully monitor performance on the route to ensure that it remains AGC compliant. At the end of 6 months, we will carry out a full review of the route and we will then decide if we will grant AGC status for a further 6 months. We will continue to regularly monitor performance and at the end of the second 6 month period we will once again conduct a full formal review of performance. If AGC status is extended, this will then be for a period of 12 months. We continue to monitor performance regularly and AGC status will be reviewed on a yearly basis.

Do you carry out an inspection every 12 months when you review AGC status?

No, normally we do not need to physically carry out an AGC inspection every year. However on occasions if we feel performance is deteriorating, we may decide that an inspection is necessary. We will also need to re-inspect your operation if your circumstances change substantially. Expenses relating to further inspections will once again fall to the carrier.

We will also ask our ILM to observe gate checks on a regular basis and we will observe procedures if we pass through an AGC station during our normal travels. The UK Border Agency may also look to carry out ‘spot-checks’ in the future on AGC routes to ensure standards are being maintained.

What changes of circumstances do I need to tell you about?

You need to advise us of the following:

- If the handling agent or document checking company are changed
- Internet or electronic self check-in procedures are introduced or changed
- If the operation moves to a new terminal or airport building
- If transit stops are added to or dropped from the route
- If any changes to the document checking procedures are made
- The number of flights operated on this route changes
- Services on this route are suspended

Failure to inform us of any of these changes may affect the retention of AGC status at the station concerned.

Can AGC status be lost?

An AGC agreement is not open-ended and it may be terminated if patterns in the arrival of improperly documented passengers suggest that the standard of checks is no longer satisfactory. The suspension of AGC status however would be a last resort and we would first work closely with you to try and improve performance. If AGC status was suspended, it would of course be open to you to apply for AGC status again however you would have to wait at least three months before re-applying on a route where it had been suspended for performance reasons.

What are the enhancements that you have made to the AGC scheme?

Carriers can now benefit from receiving two technical charge waivers per quarter on each AGC route held.

What do you mean by a technical charge?

Technical charges relate to No Visa (NV), Expired Visa (EXPV) and Deferred Visa (DV – where the visa is not yet valid) cases. All other charge categories will not be affected.

So, does that mean I get a waiver of charge for each of the new charges (i.e. NV, EXPV and DV cases)?

No, collaboratively, these three types of technical cases will represent just one technical charge.

Where can I get further information on AGC status?

You can contact the Carriers Liaison Section directly via e-mail
UKBAIGRALONCLS@homeoffice.gsi.gov.uk

alternatively feel free to call us on
+ 44 203 014 8282.

A Typical AGC Inspection

A UK Border Agency officer will attend the station and meet your carrier's representative or station manager and discuss current operational procedures.

Document checks prior to check-in

The officer will observe the standard of document checks being conducted before and during check-in. He/she will be looking at the type of sources (eg TIM, Visa Information Cards) available in making those checks, the level of training of staff conducting the checks and how thorough the checks being conducted are.



Check in Process

Procedures at check-in will be inspected. The officer will be looking at whether documents are examined for forgery, photos in documents are compared to the passengers presenting them and checking for visas where necessary.



Document checks prior to boarding

The officer will be looking at the security of the departure lounge. He/she will observe final gate check procedures to ensure a further document check is carried out immediately before passengers board the aircraft/vessel. A full check of the document needs to be carried out to make sure that it is valid, that the person presenting it is the rightful holder and that a visa is held (if required).

