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A Sector-Wide Fishing Visa

Amendment to the Immigration and Asylum Bill 2026

Summary

The UK fishing industry is heavily reliant on migrant workers. Yet, the planned abolition of the Immigration Salary List means that from the end December 2026 there will be no accessible immigration route to employ workers in the sector.¹ This is likely to mean that even more businesses will seek to employ migrant workers through the Code 7 'Transit Loophole' in order to keep the industry afloat.

The Transit Loophole is already widely misused to employ migrant workers in the UK fishing industry. Since it is only a transit permission and not a visa, there is considerable ambiguity regarding the labour protections and rights that workers employed via this route are entitled to. As a result, there is a heightened and systemic risk of labour exploitation and abuse, such as extremely low pay, excessive working hours, unsafe conditions, barriers to healthcare and compensation, and high levels of dependency on employers.

We are calling on the Government to establish a dedicated, Sector-Wide Fishing Worker Visa that would address the fundamental contradiction at the heart of the UK fishing industry: the sector relies heavily on migrant labour, yet the immigration system provides no appropriate immigration route.

Alistair Carmichael MP, Chair of the APPG on Fisheries, will table this amendment to the Immigration and Asylum Bill at Report Stage.

The Amendment

Section 6

Insert the following new Clause—

Migrant fishers

- (1) The Secretary of State must within the period of three months beginning with the day on which this Act is passed, make provision in the Immigration Rules for a sector wide “fishing worker visa” in accordance with this section.
- (2) All holders of fishing worker visas, must be entitled to —
 - (a) change their employer in respect of employment which also falls within the employment categories described in subsection (4) without restriction, subject to complying with any registration of such change as the Secretary of State may require under the Immigration Rules;

¹ See the 2025 White Paper on Immigration. The Government has committed to abolishing the Immigration Salary List. Fishing is not expected to be added to the Temporary Shortage List.

- (b) apply to renew their fishing worker visa for a period of not less than 12 months, provided they are in employment at the date of application, subject to such other conditions as the Secretary of State may require under the Immigration Rules, and following such renewal, may apply for further renewals;
- (c) apply for leave to enter and remain for their partner and any dependent child under the age of 18 subject to such conditions as the Secretary of State may require under the Immigration Rules;
- (3) The Secretary of State shall make provision in the Immigration Rules for a person who holds a fishing worker visa to become eligible for indefinite leave to remain subject to such conditions as the Secretary of State may require.
- (4) A person shall be granted a fishing worker visa if they:
 - (a) are employed as a member of the crew on a United Kingdom ship which is a commercial fishing vessel in an occupation directly related to the catching, handling or processing of fish and/or the navigation, engineering, maintenance or operation of that vessel, irrespective of whether it operates within, beyond or both within and beyond United Kingdom waters; and
 - (b) satisfy all the suitability and relevant eligibility requirements as the Secretary of State may require under the Immigration Rules.
- (5) For the purposes of this section —

“Immigration Rules” means rules under section 3(2) of the Immigration Act 1971;

“United Kingdom ship” means a ship which —

- (a) is registered under Part 2 of the Merchant Shipping Act 1995,
- (b) is a Government ship within the meaning of that Act,
- (c) is not registered in any State or relevant territory but is wholly owned by persons each of whom has a United Kingdom connection, or
- (d) is registered under an Order in Council under section 1 of the Hovercraft Act 1968.

“United Kingdom waters” means the sea and other waters within the seaward limits of the United Kingdom’s territorial sea;

For the purposes of paragraph (c) of the definition of “United Kingdom ship” in subsection (5), a person has a “United Kingdom connection” if the person is—

- (a) a British citizen, a British overseas territories citizen or a British Overseas citizen,
- (b) an individual who is habitually resident in the United Kingdom, or
- (c) a body corporate which is established under the law of a part of the United Kingdom and has its principal place of business in the United Kingdom.”

The problem

The government announced that the Immigration Salary List (ISL) will be abolished at the end of 2026, and replaced by the Temporary Shortage List (TSL). However, the Migration Advisory Committee has so far not recommended that any fishing roles be added to the TSL. This means that the UK fishing industry may soon face a major labour shortage.

Businesses are generally expected to employ overseas workers via the Skilled Worker visa (SWV). To be eligible, overseas workers have to have an occupation code listed as "High Skilled", and meet the route’s education, language and salary thresholds. At present, no fishing roles are listed as "High Skilled". The ISL provides concessions that allow migrant fishers to enter and work in the UK. However, the abolishment of the ISL and absence of fishing roles on the TSL, will render the SWV route impossible for use by the UK fishing industry, and is therefore set to push more migrant workers onto the insecure Transit Loophole.

The Transit Loophole, also known as the Code 7 or Contract Seaman Leave, is granted to migrant fishers arriving in the UK who will join the crew of a particular ship and depart the UK within a short period of time, usually around seven days.² It is a transit permission not a visa, and therefore does not permit the individual to work or reside in the UK and its territorial waters at any point.

There is ample evidence that employers take advantage of this loophole to hire fishers in place of proper work visas, such as the SWV. Even though this provision does not allow it, some workers employed via this mechanism are routinely expected to work in UK territorial waters, including fishing and keeping watch, as well as in UK ports, such as mending gear, loading and unloading catches, and other forms of labour. This puts them in breach of immigration rules and at risk of removal.

However, even when migrant workers fish exclusively outside UK territorial waters, it is unclear which labour laws and protections apply despite them working on UK-flagged, licensed and owned vessels for UK registered businesses. As a result, workers employed via the Transit Loophole are at high risk of labour exploitation, such as low pay, excessive working hours, unsafe conditions, barriers to healthcare and compensation, and high levels of dependency on employers.

The solution

A dedicated Fishing Worker Visa would formally recognise fishers as workers and reduce reliance on the Transit Loophole.

To be effective, such a visa needs to be structured to reduce workers' vulnerability to exploitation and align with the government's commitments to fair work and improved labour standards in the fishing sector. To do so, the Government should establish a Sector-Wide Fishing Worker Visa designed around the realities of employment in the fishing industry.

Under a sector-wide model, workers are sponsored through an independent body or sectoral mechanism. Rather than having workers' immigration status tied to an individual employer, this system grants people permission to work in the UK fishing sector. This allows fishers to leave abusive or unsafe working conditions and/or find alternative employment without losing their immigration status. It also means that responsible employers offering decent pay and conditions would be better able to attract and retain experienced workers.

A sector-wide visa benefits all stakeholders

A dedicated fishing visa is an opportunity to create a properly regulated labour market for a sector which the Government already recognises presents significant risks of exploitation.

For workers, it would provide secure status, access to rights and the ability to leave exploitative employers.

For fishing businesses, it would provide a predictable and accessible route for recruiting workers where domestic recruitment cannot meet demand.

For enforcement bodies, it would make sure migrant workers are part of the regulated labour market and have an immigration status which supports them to report exploitation or abuse.

For all stakeholders it would enable ethical recruitment inline with the ILO guidelines.³



² Home Office (2025). Seamen arriving in the UK: caseworker guidance. Available at: <https://www.gov.uk/government/publications/seamen/seamen-arriving-in-the-uk-caseworker-guidance-accessible-version>

³ <https://www.ilo.org/resource/other/guidelines-fair-labour-market-services-migrant-fishers>

The Government must act before existing routes close further

Without reform, the sector faces a major labour shortage and regulatory problem.

Stopping access to migrant fishers through the Skilled Worker route will not remove the fishing industry's demand for migrant labour. Instead, without an appropriate alternative, it will increase the use of the Transit Loophole, making migrant fishers less visible and harder for labour market enforcement to regulate. This will drive up risks of exploitation in an already high risk sector.

The Government should therefore use forthcoming immigration legislation to establish a Sector-Wide Fishing Worker Visa and begin the transition away from reliance on the Transit Loophole.

A sustainable fishing industry cannot be built on an immigration loophole. If migrant workers are needed to sustain the UK fishing industry, they must be provided with an immigration route that recognises them as workers and enables them to exercise their rights in practice.

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