



Technical Notice (3) Getting ready for the end of the Transition Period

28 September 2020

Passports and Travel Documents

On 31 December 2020, the Transition Period (sometimes also referred to as the “Implementation Period”) under the EU-UK Withdrawal Agreement will come to an end. The end of the Transition Period will bring an end to the current status quo whereby Gibraltar, its citizens and its business, have enjoyed EU rights. Therefore, subject to the outcome of ongoing negotiations concerning the UK and Gibraltar’s future relationship with the EU, the end of the Transition Period will bring about important changes which Gibraltar, as a whole, will need to be ready for.

Purpose.

The purpose of this Notice is to explain what the effect of those changes are on requirements with respect to passports and travel documents for travel to the Schengen Area (including Spain) after 31 December 2020.

It is important that citizens are aware of these requirements so that they can plan ahead and organise themselves. The Government can only prepare in areas that are within its control.

Whenever a reference is made in this document to UK nationals that reference shall be deemed to include British Gibraltarians.

Existing Position.

As EU citizens, UK nationals have had the right to enter the territory of EU Member States with a passport or valid identity card. Since identity cards issued to British Gibraltarians (the red ID card) is recognised as a valid travel document within the EU,



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British Gibraltarians have to date been able to enter the territory of EU Member States on the production of this card. This will continue to be the case up to 31 December 2020.

If there is no agreement with respect to Gibraltar's future relationship with the EU by 31 December 2020.

After 31 December 2020, UK nationals (including British Gibraltarians) will no longer be treated as EU citizens. As third-country nationals, UK nationals residing in Gibraltar will need to satisfy different conditions for entry into the Schengen Area. With respect to travel documents and other documentation, these conditions are the following:

- (1) UK nationals must be in possession of a **valid passport**. For the passport to be valid, the passport must, on the day of travel, have at least 6 months left and be less than 10 years old (even if it has 6 months or more left). The public is advised to use the service provided on the following UK Government website to check if you need to renew your passport before travelling to the Schengen Area as from 1 January 2021: <https://www.gov.uk/check-a-passport-travel-europe-1-january-2021>.
- (2) As from 1 January 2021, it may **no longer be possible for British Gibraltarians to travel to the Schengen Area with their Gibraltar identity card alone**. For this reason, British Gibraltarians are advised to ensure that they are in possession of a valid passport if they intend to travel to the Schengen Area after 31 December 2020.
- (3) As explained in Technical Notice (1) published on 17 September 2020, it is likely that, even in a scenario where there is no future deal, reciprocal arrangements will be put in place between the UK and the EU providing for visa-free travel. These arrangements would mean that UK nationals **would not have to obtain a visa** in order to enter the EU (including Spain). HMGoG will confirm the position definitively once those arrangements are agreed as expected.



- (4) As explained in Technical Notice (1), in future UK nationals and all other third-country nationals would be required to be in possession of **travel authorisations** granted under the EU's ETIAS system which is yet to commence operations. The European Commission has estimated that ETIAS will become operational in 2022. Travel authorisations are valid for 3 years on payment of a 7 EUR fee.
- (5) As explained in Technical Notice (1), as from 1 January 2021 EU Member State border authorities (including the Spanish Authorities) may make **enquiries** at the border in order to verify that third-country nationals (including UK nationals) can justify the purpose and conditions of the intended stay in the Schengen Area and that they have sufficient means of subsistence for the duration of the intended stay. In case such enquiries are made, UK nationals should be prepared to be able to prove the above by, for example, being able to produce booking confirmations with respect to accommodation or being able to demonstrate that they are in possession of sufficient cash or of a valid credit card.

Implications and Mitigation

In light of these new requirements, the public is advised to check that they are in possession of the above-mentioned documents if they intend to travel to the Schengen Area after 31 December 2020. For example, if passports need to be renewed, the public is advised to take steps to renew those passports as soon as possible so as to allow for new, valid passports to be produced ahead of 31 December 2020.

If there is an agreement with respect to Gibraltar's future relationship with the EU by 31 December 2020.

It is clear that the process of crossing the external borders of the Schengen Area (including the land border between Gibraltar and Spain) can become far more cumbersome for UK nationals as third-country nationals in the absence of an agreement. As stated previously, all parties, including the current Spanish Government, recognise the importance of avoiding the worst effects of the above by safeguarding



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fluidity at the border for the benefit of all residents of the area and for the benefit of the shared prosperity of the region. With this in mind, HMGoG remains engaged in constructive discussions with all parties concerned in order to reach permanent solutions. Such solutions could *inter alia* provide for persons residing in Gibraltar to be exempt from having to produce the documentation outlined in this Technical Notice when crossing the border and for the continued recognition of the Gibraltar identity card as a valid travel document.

Further information

This Notice is meant for guidance only.

Further information can be sought from brexit@gibraltar.gov.gi.