

UK P&I CLUB



LP Bulletin

Friday 08th October 2010

Bulletin 720 - 10/10 - 29 day rule - USA

The Association would like to advise Members of a recent announcement concerning the 29 day rule in the United States.

US law requires that seafarers, including those with the appropriate visa, restrict their stay in the country to 29 days on each visit. This requirement has presented problems to seafarers onboard lightering vessels and others in some exceptional circumstances. A senior immigration official recently stated that the US Customs and Border Protection Agency would use all the discretion at its disposal to mitigate the 29 day rule on lightering vessels.



An advisory notice was sent out to all Officers asking them to give special consideration to crew members, arriving in the country at airports and in ports, who declare themselves as crew working on lightering vessels. Inspectors should grant crew parole upon first arrival in the US which would preclude them deportation or other enforcement under the 29 day rule. Despite this advice, the decision whether to grant such parole will ultimately lie with the immigration officer and depend on the seafarer's individual case.

In other cases, where unexpected circumstances mean that non-lightering vessels are required to stay in the US for more than 29 days, ship-owners should notify the authorities before the 29th day. If owners do not notify the appropriate authorities until after the 29th day, the Customs and Border Protection Agency will have little option other than to enforce the law.

Source of information: Loss Prevention Dept
lossprevention.ukclub@thomasmiller.com