

EES & ETIAS Q&A



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Regular readers/viewers will be aware of our recent Webinar, in conjunction with ABTOT, BCH & the CPT where Matt Gatenby, Samantha Bradbury, Phil Smith and Amanda Harrington broke down what we know about the forthcoming EES and ETIAS systems – but if not you can find a recording of it here:

<https://www.abtot.com/ees-etias-what-you-need-to-know/>



Whilst there are specific FAQs on both the official EES & ETIAS websites (see below) that cover a variety of issues including the fundamentals of “What is EES/ETIAS” we have brought together more specific questions that we have been asked by attendees and more widely.

One question that should be addressed before we get into both EES and ETIAS on their own merits is “What area does all this apply to?” The answer is a bit complicated in all honesty, but the easiest way to go about this is to look at it as the 30 countries that are listed on the ETIAS website (see below) and which are basically all the EU Countries. Where it gets complicated is where reference to the (larger) “Schengen Zone” comes into play, but for this Q&A we will simply say “EU”!

So, without further ado...

EES – the Entry and Exit system into the EU – similar to airport kiosks currently, which will collect and process biometric data and passport information – **due 10 November 2024**

Q – Is this applicable to just ports?

A – It applies to all entry and exit points to and from the EU - , so airports, ports and also includes the “juxtaposed” facilities at Dover and St Pancras.

Q – Will fingerprint scanning be required every entry to Europe, or is it just done once and stored?

A – Our understanding is that the biometric data will be kept permanently meaning subsequent trips into Europe should be processed more quickly than the first time. However, when any passport is presented for the first time: e.g. a renewed passport, then the entire biometric data collection process will be repeated – including fingerprints!

Q – Do we need to allow extra time for any form of group travel – school trips, for example?

A – It seems sensible to allow extra time for children or anyone who are not seasoned travellers. The truth is that we just don't know how this will operate, but for the first few months at least you might want to literally allow for an hour to two hours for large groups on coaches etc. just to pass through the gates...

Q – Are EES kiosks required when transiting through a European Airport – example through Charles De Gaulle?

A – In theory not as transitioning by changing planes in an airport 'hub' does not count as 'crossing a border' and you do not usually go through border checks, but at the moment we don't know – so until the system is well bedded in it may be worth building in more time for transition arrangements.

Q – Are EES kiosks needed for exit as well as entry?

A – Yes, as they are there to record for exit as well as entry.

Q – Do EES kiosks work without a biometric passport?

A – No, and you will need to go through an attended gate. However, new passports are now only being issued with biometric capability.

Q – What is the provision for disabled travellers?

A – There is currently no mention on the potential impact to less mobile travellers in the published EES information. What we do know is that there is a requirement for a minimum number of kiosks to be wheelchair capable, and also that the Schengen Border Code does not allow discrimination against various characteristics, including disability and “genetic features” and as all the ETIAS countries are also Schengen countries, there is no reason to think that protection will not be there.

Q – Will EES be in place for UK travellers making a trip to Northern Ireland or the Republic of Ireland?

A – No – Northern Ireland is part of the UK, so no border is crossed. Travel between the UK and Republic of Ireland is governed by the 1923 Common Travel Area agreement so the EES gates should not be required, although it may be that in practice the kiosks may simply be the quickest route through the border. Guidance states that Non-Schengen countries like Cyprus and Ireland will proceed with the current manual checks.

ETIAS – an electronic requirement allowing entry into the EU – similar to the US ESTA – due 2025

Q - How soon in advance of travel does a traveller need to apply for an ETIAS?

A – At least 72 hours before date of travel. However, it may be good practice, if you have time and resources, for a travel business to specifically amend terms & conditions so as to make it clear that travellers must have an ETIAS, if appropriate, in the same way it is their responsibility to have passport, visa and any health requirements in place.

Q - At ports/ferry crossings will each passenger need to get out of their vehicle and present themselves at the EES gates?

A – That is our understanding at the time of writing – and has been a point of some discussion, we are aware!

Q – Is all of this only for non-EU passport holders?

A – Short answer – Yes! Any EU passport holders can enter the EU in the normal fashion, without the need for an ETIAS.

Q – When can people apply for ETIAS?

A – When the scheme launches it will be open for applications, with an ETIAS lasting in theory for three years. However, if a passport expires within those three years the holder will need to apply again for a new ETIAS. At the time of writing the scheme is expected to be open to applications in “late 2024”.

Q – What ages does ETIAS apply to, and what is the fee?

A – An ETIAS will be needed by everyone travelling and costs €7.00 per person, although anyone under 18 or over 70 is exempt from having to pay the fee.

Q – Can I apply for an ETIAS for other people?

A – That is possible, but appears to be aimed at family and smaller friend groups as opposed to larger coach groups. A specific, formal declaration is required so it may not lend itself to larger groups. For a family of four there would need to be four specific applications, but a parent could make each of the applications.

Q – Are there commercial intermediaries that can help?

A – It appears that there will be. The fee will always be €7.00 per person between 18 and 70, so worth noting that any monies paid on top of that will effectively be the fee being paid to the intermediary.

Q – Can I help someone complete an ETIAS application if they are not a family member?

A – Yes – there is guidance suggesting third parties, such as travel organisers, can assist customers in applying for their ETIAS.

Q – Will ETIAS be needed for UK travellers making a trip to Northern Ireland or the Republic of Ireland?

A – No – Northern Ireland is part of the UK, so no border is crossed. Travel between the UK and Republic of Ireland is governed by the 1923 Common Travel Area agreement so currently no ETIAS will be required.

We may update this Q&A as more information becomes available – if you do have any questions either generally, or that might be added to this Q&A please reach out to Advice@Travlaw.co.uk or membership@abtot.com or phil.smith@cpt-uk.org – we would love to hear from you.

For more information the official sites for ETIAS and EES can be found here:

https://travel-europe.europa.eu/index_en

The UK Government also published an information note in September 2024, which is here: <https://www.gov.uk/guidance/eu-entryexit-system>

We had an amazing amount of people attend live, and we know from hearing from you that lots more have watched since – and the feedback has been fantastic, including:

“ I found the EES and ETHIAS seminar super helpful. ”

Slacks Coaches

“ I wanted to thank you for the really informative webinar. The insights from the experts really helped make everything easy to understand, which was incredibly valuable for us as a new company. ”

North47

“ Really good and hugely informative! ”

JG Travel Group

“ Very good seminar today, it isn't very often that tour operators using coaches get any info about what is going on I learnt a lot today about EES and ETIAS and am more confident in handling the new regs and informing my clients. ”

Cycling With Us

“ I was impressed with the session, it was really helpful. ”

SPL Villas