

Routes of entry for artists and entertainers













Routes of entry for artists and entertainers

This leaflet sets out the main immigration routes for artists and entertainers coming to the UK for visits or work. It explains whether they need a visa before they enter the UK and gives an overview of the routes and the process for applying.

It is essential that anyone who is considering making an application, or sponsoring an applicant if they intend to work in the UK, consults the detailed guidance that is available on the Home Office website at https://www.gov.uk/government/organisations/uk-visas-and-immigration.

General visa information

Applicants may be required to obtain 'entry clearance' (a visa) before travelling to the UK, depending on their nationality and their reason for wanting to travel to the UK. More information on entry clearance and visas can be found on the Home Office website.

- If an applicant is a <u>visa national</u> they will need to obtain a visa before they come to the UK. Applicants should check the UK Visas and Immigration page on <u>Gov.uk</u> for the latest information as this list may be subject to change.
- If an applicant is a non-visa national, they may need to obtain a visa if they want to come to the UK for up to 6 months. They will definitely need a visa if they want to come here for more than 6 months. More information is available on the <u>check if you need a UK visa page</u>.

How and where to apply

Applicants must be outside the UK, the Channel Islands and the Isle of Man when they apply for entry clearance. They can apply for a visit visa at our visa application centres in any country; they do not have to apply within their country of residence. All other applications for a visa must be made in the country or territory where an applicant lives. Applications made under the Tier 5 Creative and Sporting category may be made in the country where they are working – further information is set out under the Tier 5 section of this leaflet.

Visit routes

General information on the different visit routes, and the requirements that visitors must meet (set out in Appendix V: Immigration Rules for Visitors) are available on the Gov.uk website at www.gov.uk/browse/visas-immigration/tourist-short-stay-visas

There are two main visit routes which are open to artists and entertainers depending on the type and length of activity undertaken, the Visit (standard) route and the Visit (Permitted Paid Engagements) route.

Visit (standard)

From 24 April 2015 the new Visit (standard) route consolidates many of the former visitor routes such as general, business, sports, entertainer, child etc and allows individuals to carry out a wide range of permitted activities during their stay as listed in Appendix V of the Immigration Rules. Employment is not permitted under the visit routes, unless otherwise specified, therefore anyone who is seeking to work in the UK will need to consider applying under the Points Based System.

Individuals seeking entry through the Visit (standard) route will need to meet the requirements of the route, which includes demonstrating that they:

- are genuinely seeking entry as a visitor for the purposes stated;
- intend to leave the UK at the end of their visit;
- do not intend to undertake a course of study unless this is incidental to their visit and is no more than 30 days;
- will maintain and accommodate themselves without using public funds or taking employment other than as permitted by the route;
- can meet the cost of the return or onward journey;
- are not in transit to a country outside the common travel area.

The Visit (standard) route is open to:

- Entertainers, artists and musicians who want to:
 - give performances as individuals or as part of a group;
 - take part in competitions or auditions;
 - make personal appearances and take part in promotional activities;
 - attend workshops and give talks about their work;
 - take part in one or more cultural events or festivals on the list of permit free festivals in Appendix 5 to Appendix V: Immigration Rules for Visitors.

A full list of permitted activities is available in Appendix 3 to Appendix V: Immigration Rules for Visitors.

Leave may be granted for up to 6 months but no paid or unpaid employment is permitted, apart from individuals taking part in a Permit Free Festival.

How to apply:

Entertainers, artists and musicians are allowed to receive cash prizes as well as reasonable expenses to cover the costs of their travel and subsistence in the UK. Technical and support staff and those who are integral to the performance, such as conductors, choreographers and stage managers attending the same event as an artist or entertainer (including artists and entertainers entering under the permitted paid engagement visitor route) should continue to apply under the Visit (standard) route. Leave will be granted in line with the artist or entertainer.

Supporting documents

Visitors must meet all the requirements of this route and show they are coming to undertake permitted activities as listed in Appendix 3 to Appendix V: Immigration Rules for Visitors.

It is advisable for applicants to provide information about the activities they will be doing in the UK. This can include:

- a letter of invitation from a UK organisation or an event organiser confirming the entertainer's attendance and/or participation at the event;
- confirmation of what costs (if applicable) the UK organisation will meet and whether the entertainer will be paid or not;
- evidence of the entertainer's personal and financial circumstances in their country of residence. For example, a contract of employment or a letter from their employer saying they can return to their job;
- evidence of their previous travel history (for long-term visit visa applications).

How to apply:

Visa nationals will be required to apply online (except when applying in North Korea when they should use the VAF1A application form) and pay the appropriate visa fee as detailed here: <u>www.gov.uk/standard-visitor-visa</u> Customers should select "visit-entertainer" if their main purpose for coming to the UK is for activities in the creative sector. "Visit-general" would be for people coming for a holiday.

Non-visa nationals can arrive at the UK border and provide documentary evidence to satisfy the officer that they meet the requirements of the route.

Long-term visit visas are also available for artists and entertainers who are regular visitors to the UK. They are valid for periods of 1, 2, 5 or 10 years and allow visits for up to 6 months at a time.

Additional Requirements

Individuals under 18 will need to meet the eligibility requirements and demonstrate they:

- are under the age of 18;
- have suitable arrangements for their travel to, reception and care in the UK. If a foster carer
 or relative who is not a parent or guardian will be responsible for the care of the child, the
 arrangements must meet the specific requirements that are set out for this route; and
- have a parent or guardian in their home country or the country where they normally live who is responsible for their care and who confirms that they consent to the arrangements for the applicant's travel, reception and care in the UK.

If a child applies for a visa to visit the UK as an accompanied child, they must travel with the adult named on the visa. If they apply as an unaccompanied child, they may travel alone, provided they have parental consent.

Supporting documents for child applicants

It is advisable for individuals to check that they have all the necessary supporting documents for children who are travelling without a parent. For example, an accompanying adult who is not the parent, or who has a different family name to the arriving child should carry at least one of the following documents as proof of their relationship:

- a birth or adoption certificate showing the relationship of the child to accompanying adult
- a copy of a parent's passport
- divorce/marriage certificates if the natural parent has a different surname to the child
- letter of authority providing contact details of the parents.

Please note the Home Office has a duty of care to children so officers will check that the reception and care is adequate for all applicants who are under 18 years of age.

If a visa national, the child must either:

- hold a valid UK visa for entry as an accompanied child visitor and be travelling in the company of an adult identified on that visa, who is on the same occasion being admitted to the UK, or
- hold a valid UK visa for entry as an unaccompanied child visitor.

They will be required to apply online (except when applying in North Korea when they should use the VAF1A application form) if coming to do a permitted creative activity, and pay the appropriate visa fee as detailed here: <u>www.gov.uk/standard-visitor-visa</u>

Visit (Permitted Paid Engagements)

Overview:

The Visit (Permitted Paid Engagements) route allows professionals who are over 18 years to stay in the UK for up to 1 month to undertake specific paid engagements as listed in Appendix 4 of Appendix V: Immigration Rules for Visitors. It allows professional artists and entertainers (individuals and groups) who are invited to carry out one, or a short-series of permitted paid engagements relating to their profession for **up to 1 month (single entry visit only)**. It extends to the performing and creative arts and includes musicians, visual artists, make-up artists, writers, circus practitioners, film makers, dancers, choreographers and photographers as examples. It allows individuals to carry out an activity/activities in, or relating to, their profession – for example, giving performances, judging panels, giving lectures, book signings, exhibiting and selling their works.

Requirements:

Visitors must meet all the eligibility requirements as listed above and provide evidence that demonstrates:

- the activity relates to their full-time profession overseas and/or qualifications where appropriate;
 and
- they have a formal invitation from a UK-based arts organisation, broadcaster or agent, confirming details of the engagement.

Arts organisations can include organisations involved in artistic endeavours such as galleries, arts faculties/departments in universities and schools, and venues involved in producing or the staging of events.

Acceptable documentary evidence can include publicity material for the engagement; evidence of awards; media coverage; reviews; or information on recent performances and publications.

How to apply:

Visa nationals will be required to apply online (except when applying in North Korea when they should use the VAF1A application form) and pay the appropriate visa fee as detailed here: www.gov.uk/permitted-paid-engagement-visa.

Non-visa nationals can arrive at the UK border and provide the necessary documentary evidence to satisfy the officer that they meet all the requirements of the route.

Work routes

There are three main routes under the Points Based System for artists and entertainers wishing to come and work in the UK. Full details on these routes and the requirements can be found here: <u>https://www.gov.uk/browse/visas-immigration/work-visas</u>.

Temporary workers – Tier 5 (creative and sporting)

Overview

Tier 5 is for paid, temporary work for up to 12 months (with a sponsor in the UK), and people coming to the UK for short-term contracts or engagements such as actors or musicians on tour, etc. Temporary workers can be accompanied by their entourage.

Requirements:

Anyone applying under this Tier 5 route will need a certificate of sponsorship (CoS) from their sponsor(s) – the sponsor will be the UK business employing or sponsoring the artist or entertainer during their stay in the UK. Before anyone can sponsor a migrant, they must obtain a sponsor licence. Any entourage can be included on a group CoS.

When applying under this route, Tier 5 applicants will need to show that they can maintain and accommodate themselves unless their sponsor has clearly confirmed this on the certificate of sponsorship.

How to apply:

Visa nationals should apply for a visa under the Tier 5 creative and sporting category from the country they live in and pay the appropriate fee. Some applications made under this route will be accepted in a country that the individual does not normally live in, as long as they are in that country in a similar role to the one they will undertake in the UK, for example, if they are on tour.

Non-visa nationals can seek entry to the UK for less than three months without requiring a visa, provided they present a valid certicate of sponsorship and evidence of being able to maintain and accomodate themselves as required on arrival at the border.

Exceptional Talent – Tier 1

Overview:

This route is for exceptionally talented individuals who are already internationally recognised as world leaders, or show the potential to become future world leaders, in the fields of science, engineering, humanities and the arts. Successful applicants require the endorsement of one of our designated Competent Bodies (for artists this is likely to be the Arts Council), who are best placed to decide whether an applicant is exceptional.

How to apply:

Applicants should first consider whether they meet the eligibility criteria set by the Arts Council (the Competent Body) to obtain their endorsement. These criteria can be found at the following link: <u>www.gov.uk/tier-1-exceptional-talent</u>.

To make an application under this route, applicants must apply via the Home Office. The Arts Council does not take applications for their endorsement directly. Details of the full application process can be found on the Home Office website at the link above. The Home Office will notify applicants of the outcome of their application.

Applicants will only be asked to demonstrate that they have reached a certain level of English Language ability if they decide to extend their leave to remain.

Skilled Workers – Tier 2 (General)

Overview:

The Tier 2 (General) category enables UK employers to employ skilled nationals from outside the resident workforce to fill particular jobs which cannot be filled by settled workers. This also includes jobs in shortage occupations. Shortage occupations are ones for which there are not enough settled workers to fill available jobs in particular sectors.

Artists and entertainers can apply under this route if they are coming to fill a role that is on the current Shortage Occupation List agreed by Government, which is available on the Home Office website:(www.gov.uk/government/uploads/system/uploads/attachment_data/ file/423800/shortage_occupation_list_april_2015.pdf) or for a job which passes a Resident Labour Market Test. Jobs must be skilled to a certain level. The following creative sector occupations are eligible under Tier 2 (General):

3411 – Artists
3414 – Dancers and choreographers
3415 – Musicians
3416 – Arts officers, producers and directors

Please check the Home Office website for the latest list of Standard Occupational Classification codes as these may change.

How to apply:

To qualify for Tier 2, applicants must have the offer of a job from a licensed sponsor. The prospective employer can talk to applicants about this and, if necessary, contact the Home Office to check their eligibility to employ overseas workers. Applicants must also meet certain other criteria, such as English Language ability and have sufficient funds to maintain themselves and any dependants without relying on public funds in the UK. The Gov.uk website has full details of these requirements.

Who is a visa national?

The Home Office provides a list of all countries whose nationals require a visa to come to the UK. Examples of such countries include China, Egypt, and India. For the latest information please check on the <u>check if you need a UK visa page</u>.

Who is a non-visa national?

A non-visa national is a national of a country that is not listed as requiring a visa when visiting the UK for less than six months. For example, America, Australia and Canada.

Do I need a certificate of sponsorship to visit or work in the UK?

If you are visiting the UK, you do not need a sponsor.

If you are coming to **work** in the UK, you will need a Certificate of Sponsorship from a UK sponsor.

I am a non-visa national visiting the UK for less than 6 months, do I need a visa?

If you are a **non-visa national** carrying out permitted activities as a visitor you do not need a visa.

I am a non-visa national and I want to work in the UK for more than 6 months, do I need a visa?

If you are a non-visa national, and you want to work in the UK for more than 6 months, you will require a visa.

I am a non-visa national, applying under Tier 5 Creative and Sporting category do I need a visa?

If you want to work in the UK for less than 3 months, you do not need a visa but you will need to present your Certificate of Sponsorship at the border.

If you want to work for 3 months or more, you will need a visa and your Certificate of Sponsorship.

Do I need to give my biometrics?

All visa applications will require you to attend your local visa application centre to submit your biometric details. This involves a digital photograph and a 10 digit finger scan being taken. Your application cannot be assessed until these details have been submitted.

What happens when I arrive at the UK border?

Entering as a visitor

When you arrive at the UK border, the Border Force Officer will ask what you intend to do in the UK and assess whether you meet the requirements of the visit route. They will also look at your previous immigration history. For non visa-nationals, if the officer is satisfied you will be given a stamp with leave to enter the UK to cover the time needed for your visit. If you leave the UK your stamp will expire. Visa nationals will be checked against the visa issued. The Border Force Officer will activate the visa upon entry to the UK.

Entering under Tier 5 Creative and Sporting route as a non-visa national

When you arrive at the UK border, an Immigration Officer will ask what you intend to do in the UK, assess whether you meet the requirements and look at your previous immigration history. They will also want to see your Certificate of Sponsorship reference number.

You will then be asked to wait a few minutes while they check the computer system and mark your Certificate of Sponsorship reference number as used.

They may ask you about your ability to maintain yourself unless your sponsor has agreed to cover this aspect. Your previous immigration history will be checked and if satisfied the Immigration Officer will stamp your passport for up to 3 months or the length of the period of engagement as indicated on the Certificate of Sponsorship plus 14 days, whichever is shorter.

If you leave the UK your stamp will expire, although your Certificate of Sponsorship number is valid for multiple entries, so you will be able to use it again if you want to re-enter the UK within the validity date of your Certificate of Sponsorship.

You must play by the rules in the UK

You have been allowed to enter the UK for a specific purpose. If you have been issued a visa, you must keep to the conditions attached to it. For example, if you are not allowed to work, taking up employment will mean that you are breaking the conditions of your visa – you could be fined, removed from the country and banned from returning to the UK for up to 10 years.

It is illegal to stay longer in the UK than your visa allows. If you overstay, you may face prosecution and detention as well as a 10 year re-entry ban.

No refunds are given if your visa is refused or if you are issued with a visa valid for a shorter period than you applied for.

The Government is committed to a firm but fair migration system. The visa service receives over 2 million applications a year from people wanting to come to the UK, and delivers first-class customer service to genuine applicants. Those who try to gain access to the UK with false documents or deception will face an automatic ban from the UK for up to 10 years. Applicants who have previously breached UK immigration laws by staying in the UK illegally or working without permission will also be banned from coming to the UK.

Please note

The information available in this leaflet is subject to change and is not intended to be comprehensive. Details which may be relevant to individual circumstances may have been omitted. It is not a complete statement of immigration and nationality law or policy. You are advised to consult <u>https://www.gov.uk/visas-immigration</u> before you make your application.

Countries whose nationals need a visa to come to the UK (visa national countries)

- Afghanistan
- Albania
- Algeria
- Angola
- Armenia
- Azerbaijan
- Bahrain*
- Bangladesh
- Belarus
- Benin
- Bhutan
- Bolivia
- Bosnia Herzegovina
- Burkina Faso
- Burma
- Burundi
- Cambodia
- Cameroon
- Cape Verde
- Central African Republic
- Chad
- People's Republic of China* Liberia
- Colombia
- Comoros
- Congo
- Cuba
- Democratic Republic of the Congo

of Appendix V: Immigration Rules for Visitors.

check if you need a UK visa page.

been issued by their own country) will require a visa.

Routes of entry for artist and entertainers - August 2015

- Djibouti
- Dominican Republic
- Ecuador
- Egypt
- Equatorial Guinea
- Eritrea
- Ethiopia
- Fiji

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- Gabon
- Gambia
- Georgia

- Ghana
- Guinea
- Guinea Bissau •
- Guyana
- Haiti •
- India
- Indonesia
- Iran
- Iraq
- Ivory Coast
- Jamaica
- Jordan
- Kazakhstan
- Kenya
- Korea (North)
- Kosovo
- Kuwait
- Kyrgyzstan
- Laos
- Lebanon
- Lesotho
- Libya
- Macedonia
- Madagascar
- Malawi
- Mali
- Mauritania
- Moldova
- Mongolia
- Montenegro
- Morocco
- Mozambique
- Nepal
- Niger
- Nigeria
- Oman*
- Pakistan
- Palestinian Territories

This list is accurate as of 1 August 2015. For the latest information please refer to the

* There are exceptions to nationals or citizens of these countries or territorial entities set out in Appendix 2

Stateless people or anyone travelling on any document other than a national passport (even it has

- Peru
- Pakistan
- Peru
- Philippines •
- Qatar* •
- Russia
- Rwanda
- Sao Tome e Principe
- Saudi Arabia
- Senegal
- Serbia
- Sierra Leone •
- Somalia
- South Africa
- South Sudan •
- Sri Lanka
- Sudan
- Surinam
- Swaziland
- Syria

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- Taiwan*
- Tajikistan

Τοαο

Tunisia

Turkev*

Uganda

Uzbekistan

Venezuela

Vietnam

Yemen

Zambia

Zimbabwe

Ukraine

Turkmenistan

United Arab Emirates*

Tanzania

Thailand

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