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IMMIGRATION
ROUTES

FOR
JOURNALISTS
AND
MEDIA
PROFESSIONALS



IMMIGRATION ROUTES FOR JOURNALISTS AND MEDIA PROFESSIONALS

Every year, many journalists and media professionals travel to the UK in order to cover specific events, either sporting or international, or for longer term assignments in the UK. Whether you are an overseas agency looking to send individuals to the UK, or a UK broadcaster or agency looking to hire a foreign worker, there are immigration options available.

General visa information

In order to undertake activities as a journalist or media professional in the UK, you will normally need to obtain a visa under one of the tiers of the points-based system. The points-based system has special categories and rules for journalists and other media professionals. In most categories you will need to be sponsored by an employer. The Sole Representative visa category also has a sub-category for employees of an overseas newspaper, news agency or broadcasting organisation being posted in the UK for a long-term assignment as a representative. However, if you are going to be in the UK briefly, or for a single event or activity, a business visitor visa may be more appropriate.

The main immigration routes available to journalists and media professionals are:

- Visit (Standard) Visa for Business
- Employee of Overseas Newspaper, News Agency or Broadcasting Organisation
- Tier 2 (General)
- Tier 2 (Intra-company Transfer)
- Tier 5 (Temporary Worker - Creative)

Media Sector Employees

If your media business wishes to employ a worker from outside the European Economic Area, the employee must obtain, or already have, permission to work. You will be required to check that all your employees have the required immigration permission to work for you in the UK.

The following categories of people have the right to work in the UK:

- British Citizens (This is the only form of British nationality where the holder automatically has the right to work. British Nationals, British Nationals (Overseas), British Overseas Territories Citizens, British Overseas Citizens, British Subjects and British Protected Persons do not normally have the automatic right to work in the UK);
- EEA citizens and citizens of Switzerland;
- Those with the right of abode in the UK;
- Those with no time limit on their stay in the UK; and
- Those with a visa or permission to remain in the UK which permits work (This may be subject to conditions, such as a maximum number of hours to be worked in a week, which must be complied with).

Students may have permission to work, but if they do, this will be limited during term time. Some individuals with applications pending with the Home Office may also have permission to work in the UK. In this case you will need to obtain a Positive Verification Notice from UKVI's Employer Checking Service.

	Visit (Standard) Business	Employee of Overseas Newspaper, News Agency or Broadcasting Organisation	Tier 2 (General)	Tier 2 (Intra- company Transfer)	Tier 5 (Temporary Worker - Creative)
Maximum length of initial visa	6 months*	3 years	5 years	5 years	Initially 12 months, or length of engagement
Payment to migrant possible	X	✓	✓	✓	✓
Extension	X	Extension of 2 years, for an unlimited period	Up to 6 years in total	Up to 5 years in total (9 years for high earners**)	Up to 2 years in total
Settlement	X	✓	✓	X	X
Minimum salary requirement	X	X	£30,000 (£20,800 for some applicants) or occupation minimum	£23,000 (Graduate Trainee). £41,500 (Long-term Staff)	Trade Union minimum salary
Restrictions	Permitted Business Visitor activities only	Can only work for business that you represent in the UK	Must work for sponsoring employer	Must work for sponsoring employer	Must undertake role sponsored for
Dependants	X	✓	✓	✓	✓

* It is also possible to obtain a Visit (Standard) - Business visa for up to 1 year, 2 years, 5 years or 10 years. However, each visit must last no more than 6 months.

** A high earner is someone whose salary is £159,600 or more.

Visit (Standard) Visa for Business

The Visit (Standard) – Business visa is designed for non-EEA nationals who wish to come to the UK for the purpose of undertaking business activities.

What are the main eligibility requirements?

In order to be granted a Visit (Standard) – Business visa, you will need to satisfy UK Visas and Immigration that you are a genuine visitor. This means that you:

- Will leave the UK at the end of your visit;
- Will not live in the UK for extended periods through frequent or successive visits, or make the UK your main home;
- Are genuinely seeking entry for a purpose that is permitted by the visitor routes and will not undertake any prohibited activities;
- Have sufficient funds to cover all reasonable costs in relation to your visit without working or accessing public funds

Visit (Standard) – Business visa holders may undertake a wide range of business activities in the UK, including but not limited to:

General activities: attend meetings, conferences, seminars and interviews; give a one-off or short series of talks and speeches provided these are not organised as commercial events and will not make a profit for the organiser; negotiate and sign deals and contracts; attend trade fairs for promotional (not selling) work; carry out site visits and inspections; gather information for an employer overseas; be briefed on the requirements of a UK based customer, provided any work for the customer is done outside the UK.

Intra-corporate activities: an employee of an overseas company may advise and consult, trouble-shoot, provide training, share skills and knowledge on a specific internal project with UK employees of the same corporate group, provided no work is carried out directly with clients.

Overseas roles requiring specific activities in the UK: Individuals employed outside the UK may visit the UK to take part in a wide range of activities in relation to their employment overseas.

What else do I need to know?

Most visitors will need to make an application for a visit visa from their country of residence, before travelling. However, nationals of some countries are exempt from this requirement and can simply apply for leave to enter as a visitor at the UK border.

A Visit (Standard) – Business visa will allow you to stay in the UK for up to 6 months. Within the period for which your visit visa is valid, you may enter and leave the UK multiple times, unless the visit visa is endorsed as a single or dual-entry visa.

You may visit friends and family and/or come to the UK for a holiday. You may also undertake a maximum of 30 days incidental study as set out in the Visit (Standard) – Short Term Study section.

You will not be permitted to work, receive payment from a UK source for any activities undertaken in the UK or undertake more than 30 days' non-incidental study in the UK.

You must have sufficient funds to cover all reasonable costs in relation to your visit without working or accessing public funds. This includes the cost of your return or onward journey, any costs relating to dependants, and the cost of planned activities.

Employee of Overseas Newspaper, News Agency or Broadcasting Organisation

The Sole Representative of an Overseas Business visa category has a sub-category for employees of an overseas newspaper, news agency or broadcasting organisation being posted in the UK for a long-term assignment as a representative.

What are the main eligibility requirements?

In order to qualify for an Employee of an Overseas Newspaper, News Agency or Broadcasting Organisation visa you will need to satisfy UK Visas and Immigration that you:

- Are an overseas media employee employed by an overseas newspaper, news agency or broadcasting organisation;
- Have been recruited and employed outside of the UK by the employer you intend to represent in the UK;
- Intend to work full-time for the organisation;
- Do not intend to take any other employment;
- Will be based mainly in the UK and working on a UK long-term assignment;
- Are able to speak English to the required level;
- Can maintain and accommodate yourself and any dependants.

This category is usually used by producers, news cameramen and women and presenters.

There is no requirement to be the only representative of the media business in the UK. Agencies and other media companies can send multiple overseas representatives at the same time.

What else do I need to know?

Your initial visa will be valid for 3 years, after which time you will be able to extend your stay for a further two years. In order to extend your stay you will need to show that you are still engaged in the employment for which you were granted entry to the UK, are still required for the future and have been paid by your employer, providing evidence of your remuneration package.

After five years in the UK, you may be eligible to apply for settlement.

Your partner and any children under the age of 18 may accompany or join you as your dependents.

You will not be able to work for any business other than the business that you represent in the UK.

Tier 2 (General)

The Tier 2 (General) category is for individuals who have an offer of a skilled job in the UK from a licensed Tier 2 Sponsor. This category includes applicants coming to the UK to fill shortage occupations. You will need to have an offer of employment before applying for a visa.

What are the main eligibility requirements?

In order to qualify for a Tier 2 (General) visa, you will need to satisfy UK Visas and Immigration that:

- You have a job offer in the UK from an employer that holds a Tier 2 Sponsor Licence;
- The job you are sponsored for is at least graduate level or a specified creative profession;
- The job is on the Home Office's list of skilled occupations;
- You will be paid a minimum salary of £30,000 (£20,800 for some applicants) or the minimum for the exact job you are doing, whichever is higher;
- The job offer is a genuine vacancy and you are appropriately qualified or registered to do the job.

Your Sponsor will need to show that there is no suitable settled worker to fill the role. In most cases, they will need to prove that they have undertaken a genuine 'Resident Labour Market Test'. This normally means that they have advertised the role for at least 28 days in two places and no suitable settled worker has applied.

A Resident Labour Market Test is not required in cases where the job is on the Shortage Occupation List, or if you will be a high earner (annual salary of £159,600 or more). If you are switching from a Tier 4 (General) Student visa then your employer will usually be exempt from the Resident Labour Market Test.

Relevant job codes include:

2471 Journalists, newspaper and periodical editors

determines subject matter and undertakes research by interviewing, attending public events, seeking out records, reviewing written work, attending film and stage performances etc.; writes articles and features and submits draft manuscripts to newspaper, magazine, periodical or programme editor

2426 Business and related research professionals -

research sources for accurate factual material, finds suitable contributors to programmes or print features and deals with any copyright issues; briefs presenters, scriptwriters or journalists as required via verbal or written reports

3413 Actors, entertainers and presenters

introduces and presents radio and television programmes, reads news bulletins and makes announcements

You will need to be competent in the English language to at least CEFR Level B1 (equivalent to IELTS 4.0 in reading, writing, listening and speaking) and have enough additional money to support yourself without relying on public funds.

What else do I need to know?

If your application for a Tier 2 (General) visa is approved then your first visa can be valid for a maximum period of 5 years and 14 days, or the time given on your Certificate of Sponsorship plus 1 month, whichever is shorter. Your stay must start no more than 14 days before the start date on your Certificate of Sponsorship.

Your partner and any children under the age of 18 may accompany you as your dependents.

You can apply to extend your stay for up to another 5 years, as long as your total stay is not more than 6 years.

You can settle permanently in the UK after being in the Tier 2 (General) category for five years, and if you have been in the UK in certain other immigration categories you may be able to combine the time spent to count towards settlement.

If you have had a Tier 2 visa in the last 12 months, you may be subject to a 'cooling off period'. You will not normally be able to apply to re-enter the UK in this category from overseas during this period.

You can switch into the Tier 2 (General) immigration category if you are already in the UK under Tier 1, 2, or 4 of the point-based system.

If you are currently in the UK as a Tier 2 (Intra-company Transfer) (ICT) migrant, you will only be able to switch into the Tier 2 General category if your Tier 2 ICT visa was granted before 6th April 2010 and you are applying to change sponsor, or you have leave under the Tier 2 ICT: Established staff category granted before 6th April 2011 and are applying to change sponsor.

If you are currently in the UK as a Tier 4 (General) Student, you will need to complete and pass your degree level course before you are eligible to switch into the Tier 2 (General) category.

You can include guaranteed allowances to demonstrate that you meet the minimum salary criteria, as long as they would also be paid to a settled worker.

You must not own more than 10% of the shares of the company sponsoring you, unless your gross salary is £159,600 or more.

In most cases you will only be able to work for your Sponsor, though you may be able to do some additional part time work in certain circumstances.

Tier 2 (Intra-company Transfer)

The Tier 2 (Intra-company Transfer) category is for existing employees of multinational employers who need to be transferred to their UK branch for training purposes or to fill a specific vacancy. You will need to have an offer of employment in the UK from a licensed Tier 2 Sponsor before applying for a visa and the overseas employer must be linked by common ownership or control to the UK branch.

What are the main eligibility requirements?

There are currently two open sub-categories of the Tier 2 (Intra-company Transfer) visa: Long-term Staff and Graduate Trainee.

If you are applying in the Long-term Staff sub-category then you must have worked for your employer overseas for at least 12 months, unless you will earn £73,900 or more in the UK.

If you are applying in the Graduate Trainee subcategory then you will need to show that the role you are applying for is part of a structured graduate training programme, with clearly defined progression towards a managerial or specialist role within the organisation. Each Sponsor can only sponsor 20 people in this category per year.

You will need to show that you have a job offer in the UK from an employer that holds a Tier 2 Sponsor Licence. The organisation you are transferring from must be listed as a linked entity on your Sponsor's licence.

The job you are sponsored for must be at least graduate level or a specified creative profession, as well as on the Home Office's list of skilled occupations.

If you are applying in the Long-term Staff sub-category then you must be paid a minimum of £41,500 per year, or the minimum for your exact job, whichever is higher.

If you are applying in the Graduate Trainee sub-category then you must be paid a minimum of £23,000 per year, or the minimum for your exact job, whichever is higher.

You will need to have enough money to support yourself without relying on public funds.

What else do I need to know?

The maximum stay for the Long-term Staff sub-category of the Tier 2 (Intra-company Transfer) visa is either 9 years (if you earn more than £120,000 per year) or 5 years, 1 month (if you earn less than £120,000 per year) or the time given on your certificate of sponsorship plus one month, whichever is shorter.

The maximum stay for the Graduate Trainee sub-category of the Tier 2 (Intra-company Transfer) visa is 12 months or the time given on your certificate of sponsorship plus one month, whichever is shorter.

You will be able to work for your sponsor in the job described in your certificate of sponsorship and do a second job in the same profession and at the same level as your main job for up to 20 hours per week.

Your partner and any children under the age of 18 may accompany you as your dependents.

You can include some allowances to demonstrate that you meet the minimum salary criteria, as long as they would also be paid to a settled worker.

If you have had a Tier 2 visa in the last 12 months you may be subject to the 'cooling off period'. You will not normally be able to apply to re-enter the UK in this category from overseas during this period. You will be exempt if you will be earning at least £120,000. You will also be exempt if you previously had leave in the Graduate Trainee or (now closed) Skills Transfer or Short-term Staff sub-category and are returning in Tier 2 (Intra-company Transfer) Long Term Staff.

You cannot settle permanently in the UK, unless you applied for a Tier 2 (Intra-company Transfer) visa before 6 April 2011.

Tier 5 (Temporary Worker - Creative)

The Tier 5 (Temporary Worker - Creative) category is for applicants in the creative sector who are entering the United Kingdom for short term contracts/engagements in the United Kingdom.

What are the main eligibility requirements?

In order to qualify for a Tier 5 (Temporary Worker - Creative) visa you will need to have been offered work in the creative industry (for example, as a radio or television presenter, news reader or film crew).

You will need to have a certificate of sponsorship from a licensed sponsor before you can apply for a Tier 5 (Temporary Worker - Creative) visa.

You will need to satisfy UK Visas and Immigration that you will make a unique contribution to the UK labour market, for example because you are internationally renowned or are required for continuity and that you will be paid the minimum salary as set by Equity, PACT or BECTU.

There are Codes of Practice for creative workers and their entourage operating in film and television. These set out the steps that employers need to take before a migrant can be offered a sponsored position. In general, employers need to advertise the role in line with industry practice to see if there is someone in the settled population who can perform the role. However, there are a number of exceptions to this, for example where a person has worked in the role overseas and is needed for continuity, or the individual has international status or will be a featured guest. Employers will need to provide different evidence depending on how they intend to meet this requirement.

What else do I need to know?

You will be able to stay in the UK for a maximum period of 12 months initially.

Journalists and media professionals can also apply for an extension for a maximum of 12 months at a time up to a total of 24 months if they remain with the same sponsor

During your stay you will be permitted to work for your sponsor in the employment stated on your Certificate of Sponsorship.

This category does not lead to settlement in the UK.

At Richmond Chambers LLP, our immigration barristers provide expert advice to journalists and other media professionals on UK visa and immigration requirements. We assist journalists, editors, presenters, film crew and producers to visit or work in the UK.

For advice and assistance with applying for a UK visa for a journalist or other media professional, contact our immigration barristers in London on **020 3617 9173** or by email to **info@richmondchambers.com**.