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immigration barristers

**IMMIGRATION
ROUTES**

**FOR
ARTISTS
AND
ENTERTAINERS**



IMMIGRATION ROUTES FOR ARTISTS AND ENTERTAINERS

The UK is a world-leading hub for the creative industries. Whether you are an actor, musician, dancer or other performing artist, our immigration barristers in Covent Garden are well versed in the full range of UK visas available to artists and entertainers who wish to visit or work in the UK.

Our specialist immigration barristers work closely with creative and entertainment sector professionals, employers and event organisers across the film, television, music, performing arts and fashion industries to ensure that their immigration and visa requirements are met.

General visa information

In order to undertake activities as an artist or entertainer 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 those in the creative and entertainment industries. In most categories you will need to be sponsored by an employer. However, if you are going to be in the UK briefly, or for a single event or activity, one of the visitor visa categories may be more appropriate.

The main immigration routes available to artists and entertainers are:

- Standard Visitor
- Skilled Worker
- Permitted Paid Engagement
- Temporary Work - Creative Worker
- Global Talent

Employers and event organisers: if you are a UK organisation and are looking to employ an individual to work in the UK, you may need to sponsor them, unless they are only coming for a short period or they are eligible to come to the UK on a different basis which provides them with permission to work. To sponsor an employee, you will need to obtain a sponsor licence. If the individual will not actually be working for you then they may be eligible for one of the visitor visas mentioned below.

Festivals and Cultural Events: if you organise a festival or cultural event, it will be much easier and cheaper for your performers to enter the UK if your event is on the Home Office's list of permit free festivals. If your event is on the list then your performers will be able to enter the UK with a Standard Visitor visa and you will not be required to sponsor them under the points based system. They will also be able to be paid. To be included on the list, your event must have been established for at least 3 years, have had an audience of at least 15,000 at each of the last 3 festivals and expect to have an audience of at least 15,000 during the course of the next event.

	Standard Visitor	Permitted Paid Engagement	Global Talent	Skilled Worker	Temporary Work - Creative Worker
Maximum length of initial visa	6 months*	1 month	5 years	5 years	Initially 12 months, or length of engagement
Payment to migrant possible	X**	✓	✓	✓	✓
Extension	X	X	✓	✓	Up to 2 years in total
Settlement	X	X	✓	✓	X
Minimum salary requirement	X	X	X	£25,600 or 100% of occupation going rate (less for some applicants)	Trade Union minimum salary (unless model, musician or circus)
Restrictions	Permitted creative activities only	Permitted Paid Engagements only	Must be endorsed. No work as a professional sportsperson or coach	Must work for sponsoring employer	Must undertake role sponsored for
Dependants	X	X	✓	✓	✓

* It is also possible to obtain a Standard Visitor visa for 1, 2, 5 or 10 years. Each visit must last no longer than 6 months.

** Performers appearing at a festival or event on the list of permit free festivals can, exceptionally, be paid.

Standard Visitor

The Standard Visitor visa is designed for individuals who wish to come to the UK for the purpose of undertaking creative business activities.

What are the main eligibility requirements?

In order to be granted a Standard Visitor 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

Artists, entertainers and musicians who hold a Standard Visitor visa may undertake a wide range of creative activities in the UK, including but not limited to:

- Give performances as an individual or as part of a group;
- Take part in competitions or auditions;
- Make personal appearances and take part in promotional activities;
- Take part in one or more cultural events or festivals on the list of permit free festivals.

Personal or technical staff or members of the production team of an artist, entertainer or musician may support the above-mentioned activities, providing they are attending the same event as the artist, entertainer or musician, and are employed to work for them outside of the UK. Film crew (actor, producer, director or technician) employed by an overseas company may visit the UK to take part in a location shoot for a film or programme that is produced and financed 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 Standard Visitor 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 can undertake other visitor activities in the UK such as visiting friends and family or general tourism.

Unless performing at a permit free festival, you will not be permitted to receive payment from a UK source for any activities undertaken 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.

Permitted Paid Engagement

The Permitted Paid Engagement visa is for non-EEA nationals over the age of 18 who wish to come to the UK for a short paid engagement.

What are the main eligibility requirements?

In order to qualify for a Permitted Paid Engagement visa you will need to satisfy UK Visas and Immigration that:

- You intend to undertake specific paid work;
- You will leave the UK at the end of your visit;
- You have been invited by a UK-based organisation or client;
- You have sufficient funds to maintain and accommodate yourself during your visit.
- The work relates to your area of expertise or occupation overseas;

What else do I need to know?

The Permitted Paid Engagement visa category is open to artists and entertainers, including performing and creative artists such as poets, make-up artists, photographers and traditional artists.

You can be invited by any kind of arts related institution or company e.g. galleries, arts faculties or departments in universities, schools and venues involved in producing or staging of events. UK based agents and broadcasters can also invite individuals to undertake a paid engagement in the UK.

The engagement in the UK must be relevant to your expertise or employment overseas. UK Visas and Immigration will expect to see evidence confirming your publications and performances, awards, media coverage, existing work commitments outside of the UK and earnings in your field.

You will be allowed to stay in the UK for up to 1 month for one single visit.

You will be able to receive payment for your work in the UK.

Most visitors will need to make an application for a Permitted Paid Engagement 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 Permitted Paid Engagement visitor at the UK border.

The Global Talent route is open to talented and promising applicants within the fields of arts and culture who wish to work in the UK. 'Talent' applicants will already be leaders in their respective field, while 'promise' applicants will be able to show the potential to become leaders in their field.

What are the main eligibility requirements?

In order to apply for a Global Talent visa in field of arts and culture, you will first need to receive an endorsement from the Arts Council.

In order to qualify for an Arts and Culture endorsement by Arts Council England you will need to be professionally engaged in producing work of outstanding quality which has been performed, presented, distributed or exhibited internationally.

You must have been regularly engaged as a professional practitioner in your field within the last 5 years and be able to show a substantial track record in more than one country (if applying on the basis of Exceptional Talent) or a developing track record in one or more countries (if applying on the basis of Exceptional Promise).

In order to make your application for an endorsement you will need to show:

- Three references from people who are able to confirm that you are exceptionally talented or exceptionally promising;
- Evidence of any international awards that you have received or been nominated for;
- Evidence of your performances, publications or exhibitions in internationally recognised contexts.
- Evidence of media coverage of your work.

If you wish to make your application in the fields of film, television, animation, post-production, or visual effects you may only apply for Exceptional Talent and are not eligible to be endorsed on the basis of Exceptional Promise.

What else do I need to know?

Global Talent visa applicants can decide how long they would like to stay in the UK for, up to a maximum of five years.

After spending five years in the UK as a Global Talent visa holder you may be eligible to settle in the UK.

There is a limit on how many applications can be endorsed each year of 1000. This is split between the different endorsing bodies. The limit has never been reached.

As a Global Talent visa holder you will have a full right to work - for an employer, as a director of a company or be self-employed.

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

Skilled Worker

The Skilled Worker category is open to individuals who have an offer of an eligible job in the UK from an employer that has been licensed by the Home Office. The job must meet certain skill and salary requirements.

What are the main eligibility requirements?

In order to qualify for a Skilled Worker 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 Skilled Worker sponsor licence;
- The job you are sponsored for is skilled to at least RQF level 3, which is roughly equivalent to A-levels;
- Your sponsor has paid any required Immigration Skills Charge;
- You will be paid a minimum salary of £25,600 per year and 100% of the going rate, whichever is higher (unless awarded tradable points for other attributes);
- The job offer is a genuine vacancy and you are appropriately qualified or registered to do the job.

The following creative jobs are eligible for the Skilled Worker route:

- Artist, Illustrator, Portrait painter, Sculptor;
- Author, Copywriter, Editor (books), Writer;
- Actor, Disc jockey, Entertainer, Presenter (broadcasting), Singer;
- Dancer, Ballet dancer, Choreographer, Dance teacher;
- Arts officer, Producer, Director, Film editor, Production assistant (broadcasting), Studio manager, Television producer, Theatrical agent;
- Photographer, Audio visual technician, Cameraman, Projectionist, Sound engineer, Theatre technician (entertainment);

The following creative jobs are on the Shortage Occupation List and so applicants may be paid 80% of the going rate:

- Artists;
- Skilled classical ballet dancers and skilled contemporary dancers;
- Skilled orchestral musicians;
- Arts officers, Producers and Directors;

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 Skilled Worker 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 settle permanently in the UK after being in the Skilled Worker 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 currently have leave to remain in another immigration category, you may extend your stay by switching into the Skilled Worker route unless you have, or were last granted, permission as a Visitor, Short-term student, Parent of a Child Student, Seasonal Worker, Domestic Worker in a Private Household or outside the Immigration Rules.

Skilled Worker Visa holders are permitted to work in the job they have been sponsored for. You may also undertake supplementary employment provided you continue to work in the job for which you are being sponsored.

Temporary Work - Creative Worker

The Temporary Work - Creative Worker category is for applicants in the creative sector who have been offered short-term work in the UK for up to 12 months.

What are the main eligibility requirements?

In order to qualify for a Temporary Work - Creative Worker visa, you will need to satisfy UK Visas & Immigration that:

- You have a job offer in the UK from an employer that holds a Temporary Work - Creative Worker sponsor licence;
- You genuinely intend, and are able, to undertake the role for which you are being sponsored;
- You will be paid the minimum salary as set by Equity, PACT or BECTU (except for models, musicians or circuses);
- You have personal savings to support yourself in the UK;

The Temporary Work - Creative Worker Visa has no English language requirement.

What else do I need to know?

You will be permitted to enter and remain in the UK for a maximum period of 12 months initially.

Creative Workers who wish to continue working for the same sponsor may apply to extend their stay for up to a maximum of 24 months.

Switching into the Creative Worker route from within the UK is generally not permitted.

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

You will be able to work for your sponsor in the job described on your Certificate of Sponsorship. You will also be able to have a second job in the same sector and at the same level as your main job for up to 20 hours per week.

You will be able to bring your entourage using a group Certificate of Sponsorship if you wish. An entourage can include all members of a unit company who wish to come to the UK to perform as a group and people whose work is directly related to the employment of an entertainer, cultural artist or a dramatic production. Members of the entourage should have proven technical or specialist skills.

The Temporary Work - Creative Worker Visa is not a route to settlement. However, it may be possible to switch into another immigration route which can lead to indefinite leave to remain.

At Richmond Chambers LLP, our immigration barristers provide expert advice to the entertainment industry on UK visa and immigration requirements. We assist artists and entertainers, employers and event organisers with ensuring that talented creative sector professionals can visit or work in the UK.

For advice and assistance with applying for a UK artist or entertainer visa, contact our immigration barristers in Covent Garden, London on **020 3617 9173** or by email to **info@richmondchambers.com**.