



Cutting through the

# RED TAPE

**Notes for producers, promoters, and agents  
wishing to present foreign artists in the UK**

## **Employing foreign artists in the UK**

Visiting Arts is frequently asked for advice with regards to legislation surrounding the employment of foreign artists in the UK. The following notes have been written to outline the basic procedures that need to be taken into consideration when bringing an overseas artist or group into the UK.

These are introductory notes on obtaining Work Permits, Visas, Entry Clearance, Leave to Enter, Tax Deductions, Insurance and Medical Services, and Carnets.

In each section, websites, contact addresses and telephone numbers refer you to the bodies which can give further information and answer your specific queries.

Red tape is also available online:

[www.visitingarts.org.uk/redtape.html](http://www.visitingarts.org.uk/redtape.html)



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and Kristin Danielsen (1998) Revised edition updated by  
Visiting Arts, April 2001, August 2002 and July 2006

# Visiting Arts

Bloomsbury House  
74-77 Great Russell Street  
London  
WC1B 3DA

T: 020 7291 1600  
T: 020 7291 1601 (enquiries)  
F: 020 7291 1616  
E: [information@visitingarts.org.uk](mailto:information@visitingarts.org.uk)  
[www.visitingarts.org.uk](http://www.visitingarts.org.uk)

## **Visiting Arts aims to strengthen intercultural understanding through the arts.**

We:

- Provide information and intelligence in order to strengthen intercultural dialogue
- Create opportunities to experience intercultural exploration. This is done through mediated performances, exhibitions, and by initiating and promoting collaborations
- Expand the skills and knowledge of existing cultural players and develop new talent to ensure a wide, diverse and sustainable group of players.

## **Visiting Arts's work links England, Scotland, Wales and Northern Ireland with countries overseas prioritised by the Board.**

Among other things we:

- Create, produce and distribute authoritative directories and help-sheets, targeted briefings and the latest advice through print, web and word of mouth
- Organise seminars, conferences and networking events to deepen intercultural understanding
- Establish and foster opportunities for ground-breaking artist exchanges, promote cutting edge exhibitions and contribute to some of the world's biggest and most innovative festivals
- From Afghanistan to Zanzibar, we work with the most exciting next generation of artists and cultural players, inviting them to the UK, expanding knowledge and horizons and championing intercultural working

Visiting Arts is an independent registered charity, which was set up in 1977.

Visiting Arts is funded in 2005/06 by British Council, Arts Council England, the Scottish Arts Council, the Arts Council of Wales, the Arts Council of Northern Ireland and the Department for Culture, Media and Sport.

The Board is chaired by Gordon Conway. Other Board Members are Cathie Boyd, Ajay Chhabra, Iwona Blazwick, Graham Long and Romesh Gunesequera.

Produced for Visiting Arts by  
Mark Ayres, Rachel Toogood (2006)  
Chantal Condron (2002)  
Kristin Danielsen (1998)  
Sara Wilcox (1995)  
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# **Introduction**

The aim of this publication is to provide practical guidelines for UK-based performing arts programmers and promoters who are planning to tour international work to the UK, or to invite artists for residencies in the UK.

'Red Tape' is a signpost guide that provides information on the legal formalities and general arrangements that are necessary for inviting overseas companies/artists to the UK including: work permits, visas, police registration, and tax advice. It also highlights further sources of information that cannot be covered in this publication which are available from government bodies, arts organisations and related websites.

In addition advice is given on the practical considerations that are necessary for organising the touring of performing arts companies to the UK: shipping, customs regulations, ATA carnets, insurance and contracts.

Visiting Arts hopes that by providing promoters and programmers with the practical advice needed to plan and organise a successful tour of work by overseas companies and artists, it will help to encourage and foster closer working collaborations between international artists and UK counterparts.

The information in 'Red Tape' was compiled from published and online resources which were correct at time of printing; however it is not intended to replace the official information and guidelines that are provided by public and government bodies. In all cases it is strongly recommended that you check with the relevant agency for full information and answers to specific queries.

## **Impending Changes**

A new immigration strategy was published in 2005 which proposed changes including reducing the current routes of entry to the UK from 80 to a simpler 5-tier system. Other changes include:

- an increased onus on the applicant in terms of the application process. Applicants will be required to have a sponsor. Sponsors will need to be registered with the Home Office and will be rated
- the introduction of Biometric data for all applicants.

The subsequent Immigration, Asylum and Nationality Bill received Royal Assent in March 2006 so the Government will begin introducing provisions within the Act in June, with full implementation not expected until 2008. It is therefore important to check the latest situation in terms of changes to processes outlined in this booklet. The latest information can be found on [www.ind.homeoffice.gov.uk](http://www.ind.homeoffice.gov.uk), [www.workingintheuk.gov.uk](http://www.workingintheuk.gov.uk) and [www.ukvisas.gov.uk](http://www.ukvisas.gov.uk).

The National Campaign for the Arts has been running a campaign for the new immigration rules to reflect the needs of the arts world. A joint Home Office-DCMS Taskforce has been set up to work through this policy. The National Campaign for the Arts is currently (July 2006) putting together case studies of the types of artists and ensembles visiting the UK. If you can help in this task then please contact the NCA on 020 7287 3777 or [campaigns@artscampaign.org.uk](mailto:campaigns@artscampaign.org.uk).

## **Comments on, and issues arising from, the practical procedures**

Visiting Arts regularly contacts the government and policy bodies dealing with documentation and procedures highlighted in this publication. We would welcome

any comments related to the practical procedures and systems involved with bringing overseas arts and artists to the UK.

Contact:

Communications Unit  
Visiting Arts  
Bloomsbury House  
74 - 77 Great Russell Street  
London  
WC1B 3DA

Tel: 020 7291 1600

Fax: 020 7291 1616

Email: [information@visitingarts.org.uk](mailto:information@visitingarts.org.uk)

Web: [www.visitingarts.org.uk](http://www.visitingarts.org.uk)

# Work Permits

**A Work Permit is an arrangement which allows British employers to employ or train people who are not nationals of an European Economic Area (EEA) country, and who are not normally entitled to work in the UK.** Work Permits UK (WPUK) is part of the Home Office's Immigration and Nationality Directorate (IND) which administers Work Permit arrangements on behalf of the British government. Detailed information on routes open for Foreign Nationals to work in the UK is available at the IND administered website [www.workingintheuk.gov.uk](http://www.workingintheuk.gov.uk)

## Work Permits are NOT required for:

- **EEA nationals.** Member countries are: Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Republic of Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, United Kingdom. As of 1<sup>st</sup> May 2004, most nationals of the **new member states** will be subject to the **Accession State Worker Registration Scheme** – see below for details;
- **Citizens of Switzerland;**
- **British Overseas Territories Citizens** (these are: Anguilla, Bermuda, British Antarctic Territory, British Virgin Islands, British Indian Ocean Islands, Cayman Islands, Falkland Islands and dependencies, Gibraltar, Montserrat, Pitcairn Islands, St. Helena and dependencies and Turks and Caicos Islands) **except those from Sovereign Base Areas in Cyprus which do require a Work Permit;**
- **Commonwealth citizens** who were allowed to enter or remain in the UK on the basis that a grandparent was born in the UK;
- **Those who do not have any conditions attached to their stay in the UK;**
- **Spouses, unmarried partners and dependent children under 18 of people who hold Work Permits, or who qualify under any of the above categories; or who qualify under a number of further categories on the Working in the UK website at:**  
[www.workingintheuk.gov.uk/working\\_in\\_the\\_uk/en/homepage/your\\_status.html](http://www.workingintheuk.gov.uk/working_in_the_uk/en/homepage/your_status.html)  
and  
[www.ukvisas.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1018721068127](http://www.ukvisas.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1018721068127)

## **Examples which can apply to visiting performing artists are:**

- Artists and performers participating in certain recognised festivals - a list appears at [www.workingintheuk.gov.uk/working\\_in\\_the\\_uk/en/homepage/work\\_permits0/applying\\_for\\_a\\_work/sports\\_and\\_entertainers/festivals\\_list\\_2006.html](http://www.workingintheuk.gov.uk/working_in_the_uk/en/homepage/work_permits0/applying_for_a_work/sports_and_entertainers/festivals_list_2006.html) and as an appendix to this document.

- Artists and performers participating in charity events/concerts or in international competitions for which there is no fee paid to the performer (except travel and accommodation costs) and where the organisers are not making a profit. **This is a guideline only and specific cases should be checked with WPUK.**

## Who can apply for Work Permits?

**WPUK handles applications from employers based in England, Scotland, Wales and Northern Ireland and from employers who wish to train a person from a non-EEA country to work in the UK.**

Employers based in Jersey, the Channel Islands or the Isle of Man, have separate Work Permit arrangements. See contact details at

[www.workingintheuk.gov.uk/working\\_in\\_the\\_uk/en/homepage/contact\\_us/enquiries.html](http://www.workingintheuk.gov.uk/working_in_the_uk/en/homepage/contact_us/enquiries.html)

**A person from a non-EEA country who is subject to immigration control will most probably require a Work Permit.** It is advisable to check with the IND if you are unsure of a person's eligibility. See contact information for the IND on page 16.

## Who cannot apply for a Work Permit?

- Individuals on their own behalf;
- Overseas companies, unless they have a UK presence (e.g. a branch office);
- Recruitment and employment agencies and other similar businesses.

## Other Important Notes

**Work Permits must be obtained by an employer before the artist enters the UK.**

- When visiting the UK, the artist requires a Work Permit and a visa (if appropriate), which is stamped by UK Immigration. Work Permits are essential either for the artist to obtain an entry visa to enter the UK or for an exit visa for them to leave their home country. It is essential that the British employer who applies for a Work Permit allows sufficient time for the full application process.
- If a person moves to a different employer or organisation while in the UK, the current employer has an obligation to advise WPUK of this.
- Work Permits are issued to artists and technical or support people, 'whose employment will not displace or exclude resident workers'. Normally, a recruitment search has to be carried out to ensure that a post has been appropriately advertised within the EEA. However this recruitment search to find a 'resident worker' is not applicable when working with cultural artists.
- It is highly recommended that you provide as much supplementary evidence from independent sources to support your proposal for bringing an artist to the UK. This could include explaining how an artist's or group's work is beneficial to British audiences by broadening exposure to new or different

types of art forms, media or practice, or making an active contribution to UK cultural diversity.

- If the artist(s) in question will be performing at more than one venue it is important that information about all the engagements is collated and sent together by a single employer. If this is the case, it is advisable to arrange for an established UK agent to coordinate all the information and apply for the Work Permit.

**N.B. The issue of a Work Permit does NOT guarantee entry into the UK or that a visa (if required) will be issued.**

## Application for Sportspeople and Entertainers' Work Permits – Notes for Employers

There are six separate sets of Work Permit arrangements:

- 1) Business and Commercial;
- 2) Training and Work Experience;
- 3) Internships;
- 4) Sportspeople and Entertainers (S & E);
- 5) General Agreement on Trade in Services (GATS);
- 6) Highly Skilled Migrant Entry Programme.

**S & E Work Permits allow employers to recruit established entertainers and cultural artists and some technical/support people from outside the EEA.**

Cultural Artists are defined by WPUK as:

*People who are skilled in foreign arts that are rare or unavailable in this country and can make a contribution to the arts, cultural relations and cultural awareness.*

Relevant publicity and press material will need to be provided as evidence of a cultural artist's status. If, exceptionally, this is not possible, the artist may have to attend an interview at their nearest British Embassy, High Commission or Consulate.

### When to apply

Applications should be made once you have found the artist(s), but no more than six months before you want to bring them to the UK. You cannot apply for a Work Permit if you have not confirmed the employment of an artist.

**WPUK aims to decide 90% of complete applications within one day of receipt.**

### How to apply

1. Applications for first, multiple entry or change of employment Work Permits, must be made with form **WP3**. Forms and guidance notes can be downloaded from [www.workingintheuk.gov.uk](http://www.workingintheuk.gov.uk) and can be requested at email address [office.forms@ind.homeoffice.gsi.gov.uk](mailto:office.forms@ind.homeoffice.gsi.gov.uk). Printed copies can be requested

from the WPUK distribution centre on 08705 210224. Send hard copy applications to the Sportspeople & Entertainments Team or email applications to the above address.

**N.B. The postal and email forms differ from each other – make sure you use the appropriate one as WPUK do not accept postal forms by email or vice versa.**

2. WPUK encourages employers to utilise the online application process to speed up the application and decision.
3. Applications by fax are not accepted, unless WPUK agrees in advance if there is insufficient time for a postal application to be sent.
4. Applications must be made for a named person (i.e. the artist) to do a specific job. Work Permits cannot be transferred to a different job or employer.
5. Application assessments are made from the information that you give in the application, so it is essential that you read and understand the guidelines and criteria before applying. If necessary seek advice from WPUK.
6. You must be an established employer in the UK and a named representative must be provided on the application. Businesses must demonstrate an 'established trading presence', and that they are 'able to manage the employment of the person or group in this country'.

WPUK will check that contractual details are bona fide i.e. adherence to the National Minimum Wage and Working Time Regulations; and that fees are commensurate to those paid to equivalent British employees.

**To include with the application:**

(please note that this list is indicative, full details should be consulted in the guidelines)

1. Proof of UK employer's business: or if not available, other documents that clearly indicate that they are a British-based employer. These might include an annual report, Certificate of Employers Liability, invoices, accounts submitted to the Inland Revenue, utility bills, registration documentation (with the Local Health Authority, for example), lease of premises and floor plan.
2. A copy of the employment contract or similar agreement, outlining terms and conditions, signed by both parties. The pay and other working conditions must at least match those normally given to a UK employee i.e. meet the National Minimum Wage and Working Time Regulations;
3. Venue contracts or a letter of confirmation of an offer of employment in the UK should also be submitted.
4. It is helpful to state in the application whether an artist will be taking part in an event already funded by a public body (for example, an Arts Council, Visiting Arts).

**If you are unable to provide any of the above information speak to the Sports and Entertainments Team to agree exceptionally what other information may be accepted.**

## Required evidence of an artist's reputation

- Recent publicity material and press reviews with clearly identified sources, with certified English translations if necessary. Material can be scanned as attachments to an emailed application form – but WPUK may request to see original material. You must be able to provide evidence that the individual(s) concerned are established artists in their own country;
- If the application is for a group, the status of each person must be clearly identified. Printed programmes, records, compact discs or audio cassette materials or their covers are also acceptable (accompanied by translations if not in English);
- Solely biographical press articles about the artist(s) are **not** acceptable.

## Unit Companies

WPUK defines a unit company as “a large group of entertainers who have regularly performed together in their own country and have toured overseas as part of an established production before entering the UK”. This type of group is distinguished from groups who are formed specifically for a tour in the UK that are not classified as unit companies. Unit companies are usually groups such as theatre companies, orchestras, ballet corps. Pop/music groups are **not** classified as unit companies.

For unit companies required evidence includes:

- Publicity material on the unit company as a whole including a letter from the company (on company-headed paper) which names all the members, and a yearly brochure for the forthcoming season;
- Evidence that the unit company has performed previously – publicity material, sourced press reviews, printed programmes and schedules.

In cases where sufficient evidence cannot be provided the artist(s) must attend an interview with their nearest British Embassy, High Commission or Consulate.

For unit companies with up to and including 19 members WPUK will issue a permit for each member. For groups with 20 or more members WPUK will issue a letter of permission to the employer (or its representative) instead.

## Technical / Support People

These are people whose work is directly related to the employment of an entertainer, cultural artist, or a dramatic production. The individual must have proven technical or other specialist skills. WPUK may request material to demonstrate the skills and experience of non-performers if they deem it necessary.

## Length of Permits

Permits are issued only to cover the stated period of contracted employment up to five years.

Multiple entry permits can be issued for a minimum of six months and a maximum of two years for individuals (min. six months, max. one year for a group).

If you anticipate that an artist may need to extend the period of their visit (e.g. for a touring exhibition), you should indicate this in the first application. Confirmation details of any additional employment must be sent to WPUK as soon as possible. You should apply for a permit extension at least one month (and no more than three months) before the original permit expires.

## Completing an Application

**It is essential to sign the two employer's declarations on the WP3 form (email applications obtain a PIN number from WPUK).** Unsigned applications are invalid and will delay the timing of an application. Make sure that you include all supporting material and documentation as required. Send completed applications to:

Work Permits (UK)  
PO Box 551  
Doncaster  
South Yorkshire  
DN1 1XU  
Email: [office.forms@ind.homeoffice.gsi.gov.uk](mailto:office.forms@ind.homeoffice.gsi.gov.uk)

For advice on completing an application contact WPUK at the Sheffield address listed on page 15.

## After Application

Once a Work Permit has been agreed, it is sent to the person named on the application. It should then be sent to the artist so that they can present it with their passport (and visa or entry clearance if necessary) at the British port of entry. It is advisable to send this by courier as lost permits cannot be replaced.

The artist will probably need to present the Work Permit when applying for a visa so be sure to allow sufficient time for the document to reach them.

## Charges for Work Permits

From 2 July 2004, WPUK charge employers a flat fee of £153 for the consideration and processing of all Work Permit applications, extensions, change of employment and appeals. The charge is reviewed on an annual basis.

Payments can be made using a credit/debit card (Visa, Mastercard, Delta, Switch) or cheque.

Employers of nationals from the following countries that have signed and ratified the Council of Europe Charter or the European Social Charter (revised) are exempt from charges: Albania, Armenia, Bulgaria, Croatia, Moldova, Romania, Turkey.

**The charge is per application so applying for a Work Permit for a group will cost £153 regardless of the size of the group.** (Please refer to page 9 to see if you are considered a unit company or not)

## Appealing Against Refused Applications

When an application for a Work Permit is not approved WPUK will write to the applicant explaining the reasons for refusal and providing details of how to request reconsideration of the decision if appropriate.

If you are informed that your application did not meet the required criteria you will be able to re-apply using a WP3 form. You will also be required to pay the charge of £153 again. Your application should include further information and evidence addressing (but not restricted to) the issues raised by WPUK in its refusal letter.

In cases where you wish your original application to be reconsidered because you feel the decision given was an error you must write back to the relevant business team (e.g. Sports & Entertainment) within 28 days of the decision. You must explain why you believe the decision was wrong and be clear that you are seeking a review of the decision in your previous application. If no new information is being provided there will be no charge for this.

Where a Work Permit extension application has been refused, the person cannot continue to work beyond their existing Work Permit permission or beyond their leave to remain date (see visa section), whichever is the earliest. Until a Work Permit has been approved, the employee must not apply for further leave to remain.

## Accession State Worker Registration Scheme

From 1st May 2004, new legislation requires that nationals of some new EU member states register with the Home Office's Worker Registration Scheme. **Nationals of the following countries need to register if they plan to work for more than one month for an employer in the UK:**

- Czech Republic
- Estonia
- Hungary
- Latvia
- Lithuania
- Poland
- Slovakia
- Slovenia.

The scheme does not apply to nationals of Cyprus and Malta.

Further information and application details can be found at: [www.workingintheuk.gov.uk/working\\_in\\_the\\_uk/en/homepage/schemes\\_and\\_programmes/worker\\_registration.html?](http://www.workingintheuk.gov.uk/working_in_the_uk/en/homepage/schemes_and_programmes/worker_registration.html?)

# Contracts and Employment – the Legal Aspects

A key consideration when employing overseas artists in the UK is their employment status which has implications on work permit, contract and tax issues. Important factors affecting a visiting artist's status and work permit application are the terms and conditions offered by the host and accepted by the artist. A contract or a written agreement represents the legal relationship between employer and employee and it is essential to be aware of this and, if necessary, to seek legal advice when planning the visit of an overseas artist.

People can be employed on a 'contract of service', 'contract for services' or, in some cases, on no contract at all. A contract is established when an employer and employee agree the terms and conditions of employment. Although a contract can take the form of a written or verbal agreement, it is regarded as good practice for an employer to provide a written contract or letter of agreement.

An 'employee' and a 'contractor' have different statutory rights and there are different liabilities for the employer. It is equally important to clarify a person's status either as a 'self-employed', 'freelance' or 'consultant' in a contract or written agreement.

## **In brief:**

An **employee** is an individual who enters into, or works under, a **contract of employment**. A **contract of employment** is defined as a contract of service. (The Employment Protection (Consolidation) Act of 1978). Employees have statutory employment, pay, discrimination, health & safety and trade union rights, and employers are expected to:

- Pay a salary
- Provide work
- Operate PAYE (if applicable) for tax and National Insurance
- Provide a safe system, place of work, materials and equipment as necessary
- Pay any expenses incurred by the employee when carrying out the job
- Maintain a relationship of trust and confidence with the employee

A **contractor** is taken on to complete a piece of work which produces a result, and has a **contract for services**. This includes individuals undertaking work on a self-employed, freelance or other basis. Statutory laws related to contractors vary significantly from those of employees and are governed by contract law. Examples include:

- Contractors have no employment rights (except race, sex and disability discrimination rights).
- Contractors are responsible for handling their own PAYE and National Insurance payments.
- Contractors are responsible for ensuring safe use of work materials, conditions and systems.
- Employers must insure against negligence claims from employees but not against claims from contractors.
- Employers are usually liable for employees' acts in the workplace but are not generally liable for those of contractors.
- Employers owe a higher 'duty of care' to employees than to contractors

Employment terms, conditions and contractual obligations related to visiting artists depend on individual circumstances, and it is not possible to provide a fully comprehensive guide in this publication. **It is highly recommended that you consider the employment conditions of an artist in advance and, if necessary, seek legal advice.**

# **Artist's Contracts and Written Agreements**

It is advisable to draw up a contract or written agreement with the artist(s) at the start of a project, to establish your respective roles. This can avoid confusion as to who has final responsibility for each aspect of the tour. The following details (and any other relevant information), should be put in writing, signed by both parties and copies kept by each. If it is more convenient, the artist can sign their copy after they have arrived in the UK, but you should ensure they have seen and agreed the terms before arriving. See the notes on 'Contracts and Employment' on page 12.

## **A contract can include:**

- Name of the artist.
- Name of the venue/promoter.
- The nature of work/participation of the artist.
- Agreed fees paid to the artist and the basis of paying (daily/hourly/weekly).
- If the artist is being paid expenses only, these should be clearly stated and the total limit for e.g. travel, per diems, accommodation, food. Is VAT included? Do they keep receipts?
- Title, themes and/or the purpose of the tour.
- Performance venue(s).
- Start and finish dates of the run of performances.
- Any damages if the set/costumes etc. are damaged.
- Number of people that will be touring.
- A list of all props, set, costumes etc.
- Tour dates, including any anticipated tour dates.
- The venue's sales commission (excl. VAT) if entrance tickets are to be sold.
- Responsibilities of the venue/promoter and the artist/company/group.

## **An artist's responsibilities can include:**

- Packing, shipping and delivery of set/props/costumes/instruments etc. to an agreed location for collection.
- Organising their own personal travel, medical and/or insurance.
- Set up at the venue and get-out at the end of the last performance.
- Supplying and permitting the use of photographic images of their work for promotional purposes.
- Agreement to participate in related educational/promotional activities organised by the venue/promoter.

## **A venue/promoter's responsibilities can include:**

- Packing, shipping and delivery of set/props/costumes/instruments to and from the UK or to another venue.
- Organising and/or paying for work permits and visas.
- Organising transport and booking accommodation for the artist.
- Paying artists' fees, per diems, transport, accommodation and subsistence costs.
- Set up at the venue and get-out at the end of the last performance.
- Publicity and marketing.
- Production of performance literature, programme, etc.

These are suggestions only, and there are likely to be other details to consider. The Voluntary Sector Legal Handbook by Sandy Adirondack and James Sinclair Taylor (published by The Directory of Social Change) provides detailed information and other considerations for drawing up a contract (see details below).

## Further Information and Contacts

### **The Voluntary Sector Legal Handbook:**

by Sandy Adirondack & James Sinclair Taylor  
Published by

**Directory of Social Change:** [www.dsc.org.uk](http://www.dsc.org.uk)

24 Stephenson Way

London NW1 2DP;

**Tel:** 08450 777707

**Email:** [books@dsc.org.uk](mailto:books@dsc.org.uk)

### **Department of Trade and Industry:** [www.dti.gov.uk](http://www.dti.gov.uk)

The DTI website has extensive advice and publications including *Individual Rights of Employees: a Guide for Employers and Employees*; *Contracts of Employment*; *Small Firms' Awareness and Knowledge of Individual Employment Rights*

### **Working Time Regulations:**

[www.dti.gov.uk/employment/employment-legislation/working-time-regs/index.html](http://www.dti.gov.uk/employment/employment-legislation/working-time-regs/index.html)

**Tel:** Acas Infoline 08457 474747

### **National Minimum Wage:**

[www.dti.gov.uk/employment/pay/national-minimum-wage/index.html](http://www.dti.gov.uk/employment/pay/national-minimum-wage/index.html)

**Tel:** Helpline 0845 6000678

### **Health and Safety Executive:** [www.hse.gov.uk](http://www.hse.gov.uk)

**Tel:** HSE Infoline 08701 545500

### **Citizens Advice Bureau Advice Guide:** [www.adviceguide.org.uk](http://www.adviceguide.org.uk)

Regional UK telephone numbers are included on this website.

### **Confederation of British Industry:** [www.cbi.org.uk](http://www.cbi.org.uk)

The website displays information on what the CBI does but its enquiry service does not extend to non-members.

### **British Employment Law:** [www.emplaw.co.uk](http://www.emplaw.co.uk)

Publishes information on employment law and has a regional search function to find solicitors in the UK.

### **Work Permits (UK):** [www.workingintheuk.gov.uk](http://www.workingintheuk.gov.uk)

Sports & Entertainments Team

Managed Migration Directorate

Home Office, PO Box 3468

Sheffield S3 8WA

**Tel:** 0114 274 3303 (S & E Team)

**Fax:** 0114 274 3003 (S & E Team)

**Email:** [ents.workpermits@ind.homeoffice.gsi.gov.uk](mailto:ents.workpermits@ind.homeoffice.gsi.gov.uk)

(for Sports and Entertainments Team)

**Immigration and Nationality Directorate (IND):** [www.ind.homeoffice.gov.uk](http://www.ind.homeoffice.gov.uk)

Immigration & Nationality Directorate

Lunar House

40 Wellesley Road

Croydon CR9 2BY

**Tel:** 0870 606 7766

**Fax:** 020 8760 3017

**Email:** [indpublicenquiries@ind.homeoffice.gsi.gov.uk](mailto:indpublicenquiries@ind.homeoffice.gsi.gov.uk)

## **Visas; Entry Clearance; Leave to Enter**

**Non-British/EEA (European Economic Area) nationals require leave to enter the UK and may require entry clearance (a visa) before travelling, depending on the reason for coming to the UK. Certain nationals, known as 'visa nationals', require a visa for all travel to the UK.** You can apply for a visit visa from any UK visa issuing office overseas. Applications for other types of entry clearance should be made at the visa office in the country in which the applicant is normally and legally resident. A visa is usually valid for unlimited entries to the UK up to its expiry date.

From 14 January 2006, all nationals of non-EEA member states who are travelling to the UK and intend to stay in the country for **more than six months** will require entry clearance. Entry clearance must be obtained before travelling to the UK.

On arrival in the UK, non-visa nationals will need to satisfy an immigration officer that they qualify for entry under the Immigration Rules, including Work Permit holders.

Those who hold a valid UK visa will not normally experience any difficulties on arrival at a UK port of entry, providing:

- They have given the Entry Clearance Officer (ECO) all information relevant to their visit to the UK;
- They have not, with or without their knowledge, given false information to support the visa application;
- There has been no change to their circumstances, or reasons for going to the UK, since the visa was issued.

Visa requirements depend on individual circumstances – it is essential to check all requirements before planning a visit.

The UK Visas website at [www.ukvisas.gov.uk](http://www.ukvisas.gov.uk) provides information on:

- Countries whose citizens require visas
- Visa application forms
- Guidance notes
- Web links to UK overseas missions
- A FAQs section
- A *Do I Need a UK Visa?* search function
- Visa-related news and updates

Guidance Notes are also available online for specific circumstances. The notes available include:

- INF1 General Information
- INF2 Visitors
- INF3 Sponsors
- INF13 Work Permit holders

- INF14 Permit Free Employment (relevant for self-employed artists who visit the UK but who can support themselves without working (except as an artist) and without dependence on public funding).
- INF20 Appeals

**Diplomatic Service Procedures** are the instructions that guide Entry Clearance Officers when handling visa applications and lay out the requirements for each type of visa. These are available at [www.ukvisas.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1041606064820](http://www.ukvisas.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1041606064820) – the notes in Chapter 18.19 refer specifically to visas applications by writers, composers and artists.

Visas indicate:

- Purpose of travel
- Length of stay in the UK
- The latest date that a person can enter and/or be in the UK

### Applying for Visas

Overseas visitors generally have to apply to the Entry Clearance Officer at the local British Embassy, Consulate or High Commission (UK Mission) in the country of residence. [www.ukvisas.gov.uk](http://www.ukvisas.gov.uk) has web links to British offices abroad. Applicants should apply for entry clearance at the UK Mission in the country where they are normally resident. If the person is only a temporary resident in the country in which they make the application, the UK visa office may reject the application or there may be a long delay before a decision is made. If the applicant needs to travel far to get to their nearest UK Mission it is advisable to contact the Mission in advance to ensure that he/she has all the necessary documentation with them. If required to attend an interview, the ECO will notify the applicant, either on the same day or within ten days. This may vary at each Mission.

Since August 2003 new visa application forms have been in use replacing the old IM2 forms. All forms are available from overseas UK Missions that offer a visa service or from [www.ukvisas.gov.uk](http://www.ukvisas.gov.uk)

There are four different types of visa application form:

- **VAF1** – Non-Settlement
- **VAF2** – Settlement
- **VAF3** – DATV (Direct Airside Transit Visa)
- **VAF4** – Right of Abode

The relevant form for a visiting international artist (who doesn't intend to settle in the country) is the form **VAF1**. This form applies to Work Permit holders and those with employment not requiring a Work Permit.

On receipt of the visa, the artist should check that all personal details, travel and date information are correct. A visa can be post-dated for up to three months.

Host venues, festivals, agents and promoters in the UK may help visa applicants by writing to the relevant British Embassy or Consulate in advance of the individual's application enclosing a copy of the invitation to the artist. You should also include information on the employment/engagements planned for the visit.

## Artists' Checklist for a VAF1 Non - Settlement application:

1. Payment for the correct fee in local currency plus postage if applicable (non-returnable).
2. Two recent passport-sized photos (no more than six months old). Some countries require three photos. See [www.ukvisas.gov.uk](http://www.ukvisas.gov.uk) for specifications for acceptable photographs.
3. A valid passport or relevant travel document.
4. A valid Work Permit (if necessary). This must be the original Work Permit that was sent to the artist from the UK employer/host organisation. A Work Permit must be obtained **BEFORE** applying for a visa. It is advisable for employers to send the Work Permit by registered courier, as lost permits cannot be re-issued.
5. Sign and date all forms where indicated.
6. Submit any supplementary documents as originals or attested copies e.g. a letter of support from the UK employer outlining terms, conditions and purpose of the visit.
7. Full details of UK employer must be included in the application for those intending to work.
8. Apply in good time, normally no more than three months before the planned travel date.
9. All individuals intending to travel must complete a separate form, unless they are a dependant under 16 who is on their parent's passport.

## Entry Clearance Fees

Details of required fees are listed at [www.ukvisas.gov.uk](http://www.ukvisas.gov.uk) and are payable in local currency. The applicant can ask at their local UK Mission for details. Fees that were correct at time of printing:

Work Permit (Six months or under)	£36
Work Permit (Over six months)	£75
Employment (Six months or under)	£36
Employment (Over six months)	£75

## Visa Refusal

**UK Visas stateS that almost 90% of applicants worldwide receive the visa they have applied for.** If refused, a written explanation is given at the time.

In some cases it is possible to appeal – this is explained at the time of refusal as is the appeal procedure. If previously refused a visa, an artist can apply again at any time, but may be refused again if reasons/circumstances are unchanged. There is no charge for an appeal against the refusal of a visa. The notice of appeal must be completed and returned within 28 days of receipt.

## Leave to Enter the UK

The final decision regarding any individual's entry into the UK is made at the port of entry by an immigration officer. An immigration officer is able to admit a person for a limited period and he/she can also impose conditions restricting or prohibiting employment in the UK. Any restrictions or time limits will be provided in writing and endorsed by the immigration officer in the person's passport.

For information about the ways in which immigration rules are applied, contact the Immigration & Nationality Directorate. The contact details for its main Public Enquiry Office (PEO) can be found on page 16. The IND also maintains Public Enquiry Offices in Birmingham, Liverpool and Glasgow:

### **Birmingham Public Enquiry Office**

Dominium Court  
41 Station Court  
Solihull  
Birmingham  
B91 3RT

**Admission by appointment only;**

**Tel: 0121 704 5450.**

### **Liverpool Public Enquiry Office**

Reliance House  
20 Water Street  
Liverpool  
L2 8XU

**Admission by appointment only;**

**Tel: 0151 237 0405.**

### **Glasgow Public Enquiry Office**

Festival Court  
200 Brand Street  
Govan  
Glasgow  
G51 1AR

**Admission by appointment only;**

**Tel: 0141 555 1258.**

## **Police Registration**

Some foreign nationals who visit the UK for more than six months are required to register with the police in the local area in which they are based, as stipulated in UK Immigration (Registration with Police) Regulations, 1972. The Regulations state that a person is normally required to register if he/she is a “relevant foreign national”. A list of countries that this refers to is available on the Immigration & Nationality Directorate’s (IND) website at:

[www.ind.homeoffice.gov.uk/lawandpolicy/immigrationrules/appendix2](http://www.ind.homeoffice.gov.uk/lawandpolicy/immigrationrules/appendix2)

Spouses and children over 16 of those required to register must also register with the police.

**N.B.** Immigration Officers and Entry Clearance Officers have discretionary power to require that any foreign visitors to the UK, other than the requirements stated above, must register with the police.

The following guidelines are taken from the IND’s website at:

[www.ind.homeoffice.gov.uk/documents/idischapter10/](http://www.ind.homeoffice.gov.uk/documents/idischapter10/). Please refer to this for more detailed information.

### **Exemptions from Police Registration**

- Visitors who are citizens of EEA and Commonwealth countries (including British Overseas Territories).
- Dual nationality visitors who hold a British, EEA or Commonwealth passport.

### **Registration Procedures**

1. Since November 2003 the requirement to register with the police on entry into the UK has been printed on the entry clearance documentation
2. Within seven days of their arrival relevant foreign nationals are required to register at a designated police station for the area in which they are living, or if staying in London, to the Overseas Visitors Records Office. Details of other registration locations can be obtained, either from the IND Public Enquiry telephone line 0870 606 7766 or a local police station.
3. Visitors will need to bring their passport and/or travel documents; two passport-sized photographs; any correspondence from the Home Office; and their Work Permit (if applicable). A fee for police registration is charged which is currently **£34**. A foreign visitor registered with the police who visits the UK again within less than one year of their original visit, is not required to pay this fee again.
4. The police will issue the visitor with a registration certificate. If this is lost or stolen, the visitor is required to buy a new one from the police.

5. Foreign visitors are required to notify the police if they change address; get married; get a new passport; or if their employment circumstances change. If a visitor is granted an extension to their stay in the UK, they must renew their police registration. There is no fee for doing this.

### What happens if visitors do not register?

Failure to register is an offence, and the police have the right to consider prosecution. At point of entry, Immigration Officers are required to record the UK address given on a visitor's landing card, and these contact details are forwarded to the police.

### What happens after the visitor leaves the UK?

The registration certificate is usually removed by an Immigration Officer when a visitor leaves the UK, or occasionally it may be sent to the IND. The certificate is usually kept by the police for two years.

### Criminal Record Bureau (CRB) checks

If you are going to be working with children or vulnerable adults, the UK organisation you are working with may ask you to have a CRB check. These checks are carried out by the Criminal Records Bureau (an Executive Agency of the Home Office) to ensure that you are suitable to work in such environments.

It is not a legal requirement to have a check done, but a decision made at the discretion of the organisation you are working for. The CRB currently does not carry out checks on overseas addresses. If you do not have a UK address and need to have a check done, a **Certificate of Good Conduct** from the police in your country of origin should be accepted as a substitute.

Detailed information can be found at [www.crb.gov.uk](http://www.crb.gov.uk) or by phoning the CRB on 0870 90 90 811.

### Useful Contacts and Information

The Police Services of the UK has a Regional Index search function to find contact details for regional police authorities in the UK: [www.police.uk](http://www.police.uk)

To register visitors in London contact:

#### **Overseas Visitors Records Office**

Brandon House  
180 Borough High Street  
London SE1 1LH

**Telephone Information Line:** 020 7230 1208

Open between 9am and 4.30pm, Monday to Friday.  
Closed Bank Holidays, public holidays and weekends.

# Tax

As a rule, the UK charges tax on income originating in the UK, and tax liability is based upon a person's status either as a 'resident' or a 'short term visitor'.

The amount of tax charged depends on whether a person is a resident and/or ordinarily resident in the UK, and occasionally on their place of permanent residence ('domicile').

The Inland Revenue website at [www.inlandrevenue.gov.uk](http://www.inlandrevenue.gov.uk) has comprehensive information in **Form IR20 Residents and Non-residents: Liability to tax in the United Kingdom**. This can be downloaded from [www.inlandrevenue.gov.uk/pdfs/ir20.htm](http://www.inlandrevenue.gov.uk/pdfs/ir20.htm) or obtained from your local tax office.

## Resident

Specific regulations govern resident status. People are regarded as residents in a tax year if:

- They are in the UK for 183 days or more in a tax year
- They visit the UK regularly and after four tax years their visits during those years average 91 days or more a tax year (see the exact conditions in Form **IR20**)

## Short Term Visitor

A 'Short term visitor' is recognised as a person who visits the UK for only limited periods in one or more tax years, without any intention to remain for an extended period of time.

## Withholding Tax

(Also known as Foreign Entertainers Tax)

Any payment made to a person which arises directly or indirectly from the appearance of an overseas artist in the UK is subject to a withholding tax which the UK payer is obliged to deduct at the basic rate from all payments made directly or indirectly.

Taxable payments include:

- Appearance fees
- Exhibition income
- Box Office percentage
- Broadcasting / Media fees
- Film fees
- TV rights
- Tour income
- Prize money
- Advertising income
- Merchandise income

- Endorsement fees

The scheme also applies to transfers of assets such as a plane ticket or accommodation provided for an entertainer. Promoters must deduct tax when paying fees direct to an artist. Alternatively, a promoter can pay an agent gross and the agent then has the responsibility for deducting the tax.

### Arrangements to limit the amount of tax withheld

Normally the basic rate of tax is deducted from the gross income. However, it is possible to write to the Foreign Entertainers Unit to request an arrangement whereby the payer may deduct an amount which is less than the basic rate. This is done so that an amount which corresponds as closely as possible to the entertainer's final liability on the payment is deducted. A reduction can be requested on the basis that expenses will substantially diminish net income. Applications must be made to the Foreign Entertainers Unit no later than 30 days before the payment is due to be made and must include the following information:

- dates of arrival in and departure from the UK
- whether the entertainer is likely to return to the UK again before the next 5 April
- a projection of income with details of dates and venues
- an itemised projection of the expenses which will be incurred
- a copy of any contracts covering appearances.

### Exemptions & Reductions

If the total payments to an individual or group, including any connected payments by an associate, will be less than £1000 during the tax year (6<sup>th</sup> April – 5<sup>th</sup> April the following year) then tax does not need to be withheld. Total payments include not only cash but also expenses paid on the performer's behalf (such as air fares).

If an artist or group expects to make £1000 or less they, or their UK promoter, should apply to the Foreign Entertainers Unit to arrange a reduced rate of taxation. In all cases, the Foreign Entertainers Unit will supply form **FEU 4** to authorise the reduced tax rate. If you have not received this form when you come to make the payment you must deduct tax at the basic rate from the gross payment you make.

The *Guide to Paying Foreign Entertainers* (Booklet **FEU 50**) explains the Foreign Entertainers tax scheme. The help sheet **IR303, Non-Resident Entertainers & Sports Persons** which is aimed at the overseas entertainers themselves may also be useful. Both can be downloaded from [www.hmrc.gov.uk/nonresidents/iwtforeign\\_entertainers.shtml](http://www.hmrc.gov.uk/nonresidents/iwtforeign_entertainers.shtml) or requested from the Foreign Entertainers Unit at the address overleaf.

### Non-UK Residents are eligible for tax relief if they are:

- A Commonwealth citizen;
- A citizen of a state within the EEA (see list of countries in **IR20**);
- A resident of The Channel Islands or The Isle of Man;
- A former UK resident who lives abroad for health reasons;

- A national and/or resident of a country with which the UK has a double taxation agreement that allows such a claim (see **IR20**);
- Any other conditions as outlined in **IR20**.

### Tax allowances are also made for:

- People who leave or arrive in the UK part way through the tax year;
- People who are resident of a country with which the UK has a double taxation agreement (see full conditions in **IR20**, including a list of Britain's double taxation agreements with other countries – **N.B there are special notes relevant for the Russian Federation and Yugoslavia**);
- Under many double taxation agreements visitors may be able to claim exemption from UK tax on earnings from an employment; and profits or earnings for independent, personal or professional services.

### Arriving from abroad

If overseas artists come to the UK and begin working for an employer, or if they are self-employed, they will generally be required to pay UK National Insurance contributions – some exceptions to this include:

- Visitors from EEA countries.
- Visitors from 'Agreement' countries - (See **IR20** for further details).

### Tax notes that apply to visiting performing artists

- When an artist gives a type of 'masterclass' or seminar in the UK for the paying public this activity could be considered to be of an 'entertainment nature', and the Inland Revenue would require any payer to deduct withholding tax when paying the artist.
- In the case of visual performance artists the Inland Revenue recognises that the definition between visual representational art and performance art can be difficult to define. The Inland Revenue regards any performance given in the UK by a non-UK resident performance artist, to be essentially of an entertainment nature, and so they would look to withhold tax from the employer who was paying the artist.

## Further Information

**The Inland Revenue:** [www.inlandrevenue.gov.uk](http://www.inlandrevenue.gov.uk)

*Residents and Non-Residents: Liability to Tax in the United Kingdom* at [www.inlandrevenue.gov.uk/pdfs/ir20.htm](http://www.inlandrevenue.gov.uk/pdfs/ir20.htm)

Residence and Domicile forms at [www.inlandrevenue.gov.uk/cnr/r\\_and\\_d.htm](http://www.inlandrevenue.gov.uk/cnr/r_and_d.htm)

### **Centre for Non-Residents**

Foreign Entertainers Unit  
St Johns House, Merton Road

Bootle

Merseyside

L69 9BB

**Tel:** +44 (0)151 472 6488

**Fax:** +44 (0)151 472 6483

**Email:** [non-residents@inlandrevenue.gov.uk](mailto:non-residents@inlandrevenue.gov.uk)

# Insurance and Medical Services

Personal, medical and travel insurance are important aspects that visiting artists should consider and arrange before arriving in the UK. If the artist or group is transporting props/sets/costumes etc., these items should also be insured. The producer should also ensure that all artists are covered by the insurance of the venue in which they will be performing (e.g. liability insurance in a theatre). Some forms of insurance are compulsory for employers.

## For UK venues

- **Employer's Liability** – A legal requirement for all UK employers to protect against liability for injury, disease or death of their employees in the workplace.
- **Public Liability** – Protects employers against liability for public death, injury or damage to property within the public workspace (i.e. in a theatre/concert venue).
- **Health & Safety at Work** – See *Health & Safety Regulation: A Short Guide* at [www.hse.gov.uk](http://www.hse.gov.uk)
- **Buildings and Contents** – Assess the total value of props/set/instruments that will be used in advance, and ensure works are covered by your organisation's policy. Check whether the artist is arranging personal insurance cover for their props/set/instruments.
- **Theft and Damage** – Check if this is included in your contents insurance.
- **Goods in Transit** – To insure the movement of props, sets, costumes, equipment, instruments and other goods between venues. This is organised by or between the promoter/host venue and the performer(s), depending on who is responsible for transporting the goods to the UK. If the artist transports goods personally, they should ensure that the goods are covered against damage. Shipping companies generally have company insurance to cover goods handled by them – check this with them.

## For artists

- **Medical Insurance** - Overseas visitors (not ordinarily resident in the UK) must pay for NHS hospital treatment except:
  - people who come to the UK for employment;
  - EEA nationals;
  - nationals of countries with which the UK has reciprocal agreements.

See details on the Overseas Visitors section of the Department of Health's (DoH) website at:

[www.dh.gov.uk/PolicyAndGuidance/International/OverseasVisitors/fs/en](http://www.dh.gov.uk/PolicyAndGuidance/International/OverseasVisitors/fs/en). The DoH publishes a leaflet outlining all exemptions from NHS charges at: [www.dh.gov.uk/PublicationsAndStatistics/Publications/PublicationsPolicyAndGuidance/PublicationsPolicyAndGuidanceArticle/fs/en?CONTENT\\_ID=4088879&chk=n5ZQkr](http://www.dh.gov.uk/PublicationsAndStatistics/Publications/PublicationsPolicyAndGuidance/PublicationsPolicyAndGuidanceArticle/fs/en?CONTENT_ID=4088879&chk=n5ZQkr).

The Association of British Insurers (ABI) provides advice on personal medical and health insurance at the Information Zone on its website [www.abi.org.uk](http://www.abi.org.uk).

- **Travel insurance** – see ABI at [www.abi.org.uk](http://www.abi.org.uk);  
European Travel Insurance Group [www.eti-group.biz](http://www.eti-group.biz);  
Insurance Information Institute at [www.iii.org](http://www.iii.org)
- **Public Liability** – It is important to consider this, especially if participating in workshops, residencies, performances and other events that involve working with the public in a venue or gallery. (This may already be provided by the venue).
- **Goods in Transit** – As before

See The British Insurance Brokers' Association [www.biba.org.uk](http://www.biba.org.uk) to search for UK brokers who deal with cover for works of art. The Insurance Information Institute at [www.iii.org](http://www.iii.org) also has a search function to locate overseas insurers.

## Useful Organisations

**The Association of British Insurers:** [www.abi.org.uk](http://www.abi.org.uk)

**Tel:** 020 7600 3333

**Email:** [info@abi.org.uk](mailto:info@abi.org.uk)

Extensive information on all forms of insurance. The website contains information sheets on all types of insurance for consumers and small businesses.

**The Insurance Information Institute:** [www.iii.org](http://www.iii.org)

**Email:** [info@iii.org](mailto:info@iii.org)

Includes a directory of international insurance associations.

**Health & Safety Executive:** [www.hse.gov.uk](http://www.hse.gov.uk)

**Tel:** H & S Infoline: 08701 545 500

**Email:** [hseinformationservices@natbrit.com](mailto:hseinformationservices@natbrit.com)

Details of compulsory regulations for employers and useful information sheets

**Department of Health Customer Service Centre:** [www.dh.gov.uk](http://www.dh.gov.uk)

**Tel:** 020 7210 4850

**Email:** [dhmail@dh.gsi.gov.uk](mailto:dhmail@dh.gsi.gov.uk)

**Arts Council England Information Sheets:** [www.artscouncil.org.uk/publications/](http://www.artscouncil.org.uk/publications/)

**Tel:** 0845 300 6200

**Email:** [enquiries@artscouncil.org.uk](mailto:enquiries@artscouncil.org.uk)

A useful source of general information, including a range of advice on insurance for arts organisations and artists produced by the regional offices of Arts Council England.

## Fees for Artists and Performers

**Arts Council England** provides some information on *How to Pay Artists* (September 2005):

[www.artscouncil.org.uk/publications/information\\_detail.php?sid=3&id=23](http://www.artscouncil.org.uk/publications/information_detail.php?sid=3&id=23)

However, ACE is not able to offer guidelines on rates of pay for artists following a ruling by the Office of Fair Trading.

Under The National Minimum Wage Act and National Minimum Wage Regulations, UK employers must pay their workers at least the minimum wage. More information on this, including current levels, is provided by HM Revenue & Customs: [www.hmrc.gov.uk/nmw/](http://www.hmrc.gov.uk/nmw/)

Other useful sources of advice and information are:

**BECTU (Broadcasting Entertainment Cinematograph and Theatre Union):**

[www.bectu.org.uk](http://www.bectu.org.uk)

**Equity:** [www.equity.org.uk](http://www.equity.org.uk)

For information on rates for actors, singers and dancers

**Musicians' Union:** [www.musiciansunion.org.uk](http://www.musiciansunion.org.uk)

Provides information on minimum rates for specific live engagements

**ITC (Independent Theatre Council):** [www.itc-arts.org](http://www.itc-arts.org)

Provides useful information about rates. Information regarding contracts available for members.

**TMA (Theatrical Management Association):** [www.tmauk.org](http://www.tmauk.org)

Information on rates of pay (including per diems etc.) for touring in the UK.

# **Transporting Equipment and ATA Carnets**

Transporting sets, props and other equipment requires a significant amount of planning. Shipping arrangements can be complicated and demand an awareness of customs documentation and international regulations that govern the movement of certain items and materials. It may be advisable for less-experienced promoters to consider the services of a reputable shipping agent who can manage the necessary arrangements for a successful move. Company / group members could also consider carrying everything themselves or sourcing goods locally.

The British International Freight Association (BIFA) is the primary body representing the UK international freight services industry and can provide further information: [www.bifa.org](http://www.bifa.org)

Shipping agents vary between:

- Multi-national freight companies who transport industrial or heavy duty goods;
- Multi-national or local shippers which transport general goods e.g. furniture, for domestic or corporate moves;
- Fine art shipping specialists.

**Assess the level of services that you need.**

## **Selected International Shipping and Freight Organisations:**

**ABP (Association of British Ports)** – Has links to UK ports and services  
[www.abports.co.uk](http://www.abports.co.uk)

**EFFA (European Freight Forwarders Association)**  
[www.ffa.com](http://www.ffa.com)

**DFT (Department for Transport)**  
[www.dft.gov.uk](http://www.dft.gov.uk)

**Irish Maritime Development Office** – See *Shipping Directory* for contacts  
[www.imdo.ie](http://www.imdo.ie)

**FIATA (The International Federation of Freight Forwarders Associations)**  
A non-governmental organisation representing forwarding and logistics firms  
[www.fiata.com](http://www.fiata.com)

**IATA (International Air Transport Association)**  
[www.iata.org](http://www.iata.org)

**IMO (International Maritime Organisation)**  
[www.imo.org](http://www.imo.org)

**AMSA (American Moving and Storage Association)**  
[www.moving.org](http://www.moving.org)

**PAIMA (Pan American International Movers Association)**  
[www.paima.com](http://www.paima.com)

## **LACMA (Latin American & Caribbean International Movers Association)**

[www.lacmassoc.org](http://www.lacmassoc.org)

### ATA Carnets

An ATA Carnet (Temporary Admission Carnet) is an international customs document used for the temporary movement of goods between countries that are signatories to the ATA or Istanbul Convention. There should always be an intention to return goods to the country of origin. Goods must not be processed or repaired other than routine maintenance necessary to maintain them in the condition that they were imported.

A carnet is a booklet of internationally-recognised vouchers that replaces normal Customs & Excise declarations. It acts as a “passport” presented at each customs post the goods pass through. It can simplify arrangements for temporarily imported or exported items and can help to alleviate difficulties arising from language barriers and unfamiliar Customs documentation between countries.

A carnet:

- can contain any number of vouchers to allow items to move between several countries or for multiple trips made using one carnet. Each voucher contains the ‘general list’ of items that it covers - i.e. a description of each object covered by the carnet;
- is valid for a maximum of one year from the date of issue – some countries will issue or accept a replacement carnet that extends the validity period to a maximum of two years;
- is issued by Chambers of Commerce or the local equivalent in a particular country. The overseas company / artist would need to contact the nearest office in their home country. There is often a charge for issuing a carnet. A local Chamber of Commerce will be able to tell you whether an ATA Carnet can be issued for your planned temporary export and can also provide advice on specific regulations of using a carnet abroad.

Further information about the issue of carnets in the UK and contact details for international Chambers of Commerce can be obtained from:

#### **The London Chamber of Commerce and Industry**

Export Documents – Carnets

33 Queen Street

London

EC4R 1AP

**Tel:** 020 7248 4444

**Fax:** 020 7203 1921

**Email:** [lc@londonchamber.co.uk](mailto:lc@londonchamber.co.uk)

[www.londonchamber.co.uk](http://www.londonchamber.co.uk)

## Items from EC countries

A carnet is not required for goods originating in the EC that are temporarily imported to the UK from other Member States of the EC, or for goods imported from outside the EC that are in free circulation when:

- all import formalities have been complied with;
- all import duties, levies and equivalent charges payable have been paid and have not been fully or partially refunded.

## Using a carnet

- A carnet is issued to the holder named on the front cover. It can be used by them or another named representative. The carnet holder does not have to be the original owner of the goods but is liable for any subsequent customs duty or charges that are made. They are responsible for ensuring that each voucher is endorsed correctly at every Customs entry/exit point.

Usually if a non-EC artist / theatre company arranges for a shipping company to transport works into the UK, the agent will obtain a carnet and a member of their staff is named as a representative.

- The carnet must be presented to Customs with the relevant import, export or transit voucher. Each time a carnet is presented to Customs a declaration on the voucher is completed, Customs will check and endorse that the correct procedures have been followed and that the original items are present. If voucher sections have been incorrectly processed or not endorsed, or if any of the items originally stated on the carnet are missing, the carnet holder may be liable for Customs duty and any import charges.
- Carnets cannot be used for any items sent by post.

Further information about carnets is available from HM Customs & Excise in **Notice 104 ATA & CPD Carnets** at [www.hmce.gov.uk](http://www.hmce.gov.uk). This includes details of other Chambers of Commerce in the UK.

## Tips for completing and using ATA Carnets

- If an ATA Carnet is not presented and endorsed at each Customs entry/exit point, Customs can seize the goods or demand payment that will delay the entry of the items into the UK.
- If an ATA carnet is insufficiently completed, Customs officers may refuse entry to the items which can be withheld while a normal Customs declaration or replacement carnet is issued. If the description of goods is inadequate and Customs cannot easily identify items, the carnet can be refused and/or duty payment charged. Take photocopies and photographs of each item listed on the carnet to speed up identification at Customs.
- It may be necessary to provide an English translation of the carnet.

- Customs points are not staffed 24 hours a day and often not at weekends. It can take up to one week for a carnet to clear Customs. Check in advance if the relevant Customs office at the port of entry will be staffed on the date of arrival to the UK. Contact the C & E National Advice Service on 0845 010 9000 for details of Customs offices.
- Once a carnet is issued additional items cannot be added to it. If you wish to import or export any extra items, you will need to apply for a separate carnet.
- If an artist is only bringing a few items, a carnet is not necessary as it is accepted that these items are *performers' personal effects*. The artist should contact the local office of an international airfreight company for further information.
- Quite large quantities can be transported by excess baggage but still within a full carnet, but costs are generally high. The artist(s) should contact the airline for further information.

**HM Customs & Excise**

National Carnet Unit

1<sup>st</sup> Floor

Queens Dock

Liverpool

L74 4AG

**Tel:** 0151 703 1368

**Fax:** 0151 703 1371

[www.hmce.gov.uk](http://www.hmce.gov.uk)

# Final Checklist

Organising a tour involves advance planning which can take up to one year depending on the size and scale of the production and the number of artists involved. The following checklist assumes that a venue and tour dates have been provisionally allocated.

## Checklist for Inviting Artists from Overseas

1. **Budget:** Establish your budget and confirm any external funding or grants. Include costs for artists' per diems; artists' commissions; travel and accommodation expenses; work permits and visas; police registration; insurance; shipping; and emergency contingency funds.
2. **Work Permit:** WPUK advises that applications should be made no longer than six months before the intended date of entry to the UK. **N.B.** Visas cannot be issued until a work permit is obtained. (See pages 5-11).
3. **Artists' Documentation:** Check that they are aware of the procedure and time required for getting visas/entry clearance and that they have a valid passport with an expiry date after the planned date of return. It is important to check their passport and visa status so that applications can be made in advance if necessary. (See pages 17-20).
4. **Tax:** Check the artist's tax status and any eligible tax allowances. Contact your local tax office for advice. (See pages 23-26).
5. **Insurance:** Arrange cover if necessary e.g. travel, public liability or medical insurance. (See pages 27-28).
6. **Artists' Work:** If you plan to commission or show new work, confirm with the artist what they plan to develop. Consider the theme; size and scale of the work; length of the performance and estimated time of completion, so that you know what to expect when you finalise the details of the performance.
7. **Artists' Letter and Contract:** Invite the artist/company by letter, including a contract outlining the responsibilities of the venue/promoter and artist - (see pages 14-16). If the artist needs to apply for a visa or entry clearance, it is advisable to send/fax copies of your invitation letter to the relevant British Embassy or Mission with a cover letter explaining that they will be applying for a visa.
8. **Artists' Requirements:** Check if the artist has particular cultural, religious, dietary or other requirements. This may affect choice of accommodation i.e. single-sex only; access to worship facilities; and suitable cooking area for e.g. vegetarian, halal or kosher food.
9. **Travel arrangements:** If applicable make the artists' travel arrangements including transfers to/from airports. Confirm the travel details with the artist e.g. flight times and correct entry airport, port or station. Ideally you or a colleague should arrange to meet them on arrival and accompany them on departure from the UK.
10. **Police Registration:** If necessary check where the artist will need to register. (See pages 21-22).

11. **Biography:** Collect biographical information about the artist/company e.g. artist's statement, information about the artists/company, including past work, images of previous performances and copyright agreements for press, programme or event publicity.
12. **Translations:** Check if you will need to organise a translator or translation services in order to work with the artist while in the UK or to produce performance literature in advance.
13. **Embassies:** Tell the cultural attaché at the relevant embassy or consulate in the UK about the exhibition, as many embassies produce newsletters about country-specific events, which are useful publicity. The London Diplomatic List on the Foreign & Commonwealth Office web site provides details of embassy and consulate staff in London. See under 'Useful Links' at [www.fco.gov.uk](http://www.fco.gov.uk).

# Glossary

## List of Forms and Guidance Notes

<b>INF 1</b>	Immigration and Nationality Directorate, <i>Guidance Note - General Information</i>
<b>INF13</b>	Immigration and Nationality Directorate, <i>Guidance Note – Work Permit Holders</i>
<b>IN14</b>	Immigration and Nationality Directorate, <i>Guidance Note - Permit-Free Employment</i>
<b>IM2A</b>	Immigration and Nationality Directorate, <i>Application for United Kingdom Entry Clearance</i>
<b>IM2C</b>	Immigration and Nationality Directorate, <i>Application form for a visa if you are planning to work in the UK</i>
<b>WP3 (notes)</b>	Work Permits (UK) An employers guide to Work Permit applications for entertainers and sports people
<b>WP3</b>	Work Permits (UK) <i>Work Permit application: for entertainers and sports people</i>
<b>WP2</b>	Work Permits (UK) <i>Application form to provide training or work experience</i>
<b>WP1</b>	Work Permits (UK) <i>Application form to employ an overseas worker</i>
<b>FEU50</b>	Foreign Entertainers Unit, <i>Payer's Guide</i>
<b>FEU8</b>	Foreign Entertainers Unit, <i>The application form for an arrangement of a reduced rate of Foreign Entertainers Tax</i>
<b>FEU4</b>	Foreign Entertainers Unit, Payer's notification. <b>Each Box Office or paying-out point needs a SEPARATE FEU4 form</b>
<b>FEU2</b>	Foreign Entertainers Unit, <i>Foreign Entertainers Unit tax deduction certificate</i>
<b>FEU1 (CS)</b>	Foreign Entertainers Unit, <i>Payer's return continuation sheet</i>
<b>FEU1</b>	Foreign Entertainers Unit, <i>Return of payments made to non-resident entertainers</i>
<b>FEU40</b>	Foreign Entertainers Unit, <i>Stationery request</i>
<b>IR20</b>	Inland Revenue (Tax) <i>Notes explaining residents and non-residents liability to tax in the UK</i>
<b>IR303</b>	Inland Revenue (Tax) <i>Helpsheet for Non-Resident Entertainers and Sportspersons</i>

## Appendix: List of Permit Free Festivals 2006-7

<b>Name of Festival</b>	<b>Date</b>	<b>Contact</b>
Alnwick International Music Festival	29 July – 5 August 2006	01665 830545
Barbican Festivals (Autumn 1, Autumn 2, Only Connect, Summer)	A1- 5 Jun - 31 July 2006 A2- 18 Oct – 31 Oct 2006 OC- 20 Sep – 10 Oct 2006 S- 13 February – 31 May 2006	020 7382 7030
Bath International Music Festival	19 May – 4 June 2006	01225 462231
BBC Proms	14 July – 10 September 2006	020 8752 5813
BBC Radio 2 Cambridge Folk Festival	27 July – 30 July 2006	01233 457515
Belfast Festival at Queens	19 October – 4 November 2006	028 90971034
Billingham International Folklore Festival	22 July – 29 July 2006	01642 651 060
Birmingham International Jazz Festival	7 July – 16 July 2006	0121 454 7020
Brecon International Festival of Jazz	11 August – 13 August 2006	01874 622838
Brighton Festival	6 May – 28 May 2006	01273 700747
Celtic Connections Festival	17 January – 4 February 2007	0141 353 8000
Chelsea Festival	17 June 2006	020 7349 8101
Cheltenham Festivals - Jazz Festival; Music Festival; Literature Festival	April / May / June / July / October 2006	01242 263 494
City of London Festival	June/ July 2006	020 7796 4949
Croydon Summer Festival	15 July – 16 July 2006	020 8760 5400
Dance Umbrella	21 September – 5 November 2006	020 8741 4040
Download Festival	9 June – 11 June 2006	020 7009 3393
Edinburgh Festival Fringe	6 August – 28 August 2006	0131 226 0026
Edinburgh International Festival	13 August – 3 September 2006	0131 473 2099
Edinburgh International Jazz and Blues Festival	28 July – 6 August 2006	0131 2252203
Glasgow International Jazz Festival	23 June – 2 July 2006	0141 552 3552
Glyndebourne	19 May – 27 August 2006	01273 812321
Great British Rhythm and Blues Festival		01282 661220
Greenbelt Festival	25 August – 28 August 2006	020 7374 2755
Harrogate International Youth Music Festival	14 April – 21 April 2006	01423 55270
Harrogate International Festival	20 July – 4 August 2006	01423 562303
International Workshop	October/ November 2006	020 7261 1144

Festival		
Liverpool International Street Festival	July/ August 2006	0151 709 3334
London International Festival of Theatre	15 September – 15 November 2006	020 7490 3964
London Jazz Festival	10 November - 19 November 2006	020 7405 9900
Mean Fiddler Music Festivals - Reading Festival, Leeds Festival, Homelands Festival	Reading - 25 August – 27 August 2006 Leeds – 25 August – 27 August 2006 Homelands – 26 May – 28 May 2006	020 8961 5490
Music Village Festival	28 June – 16 July 2006	020 7841 0500
New Territories	7 February - 10 Mar 2007	0141 357 5538
Norfolk and Norwich Festival	3 May – 14 May 2006	01603 614 921
Salisbury International Arts Festival	26 May – 11 June 2006	01722 332 241
T in the Park	8 July – 9 July 2006	0141 566 4999
Triptych Festival	25 April - 29 April 2007	0141 332 6886
WOMAD Festival	28 July – 30 July 2006	01225 743188
Zee Carnival	February/ March 2007	0208 839 4003