

Visitors: 'Permitted business activities'

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Business Visitors

- Key requirements and issues
- Prohibited activities
- Permitted activities
- Permitted Paid Engagements (PPE)
- Solutions/practical tips

Key requirements

- Prior entry clearance (visa) mandatory for 'visa nationals'. Non-visa nationals must still satisfy requirements on entry
- Maximum single visit six months/180 days – but
- Must be genuine visitor including:
 - intend to leave the UK at the end of visit
 - will not make the UK their main home/live in the UK for extended periods through frequent or successive visits
 - genuinely seeking entry for permitted purpose
 - will not undertake any prohibited activities

Prohibited activities

Must not intend to work in the UK (unless expressly allowed by the permitted activities), which includes:

- taking employment in the UK
- doing work for an organisation or business in the UK
- establishing or running a business as a self-employed person
- doing a work placement or internship
- direct selling to the public
- providing goods and services

NB *“permitted activities must not amount to taking employment, or doing work which amounts to filling a role or providing short-term cover for a role within a UK based organisation”*

Prohibited activities - payment

Visitors must not receive payment from a *UK source* for any activities undertaken *in the UK* except:

- reasonable expenses (travel and subsistence costs)
- fees for directors attending board meetings
- prize money
- billing a client for time in the UK, where the overseas employer is contracted to provide services to UK company and majority of work overseas (pay must be less than salary)
- multinational companies running payroll from UK
- performances at permit free festival (Appendix 5)
- where the applicant is engaged in a PPE, provided that leave granted on that basis

Permitted activities

General business activities:

- attend meetings, conferences, seminars, interviews
- give a one-off/short series of talks and speeches – provided not organised as commercial events and not make a profit for the organiser
- negotiate and sign deals/contracts
- attend trade fairs (promotional only – no direct selling)
- carry out site visits/inspections
- gather information for employment overseas
- be briefed on requirements of UK customer (work to be done outside UK)

Permitted activities

Intra-corporate activities

- Employee of an overseas based company may:
 - advise and consult
 - trouble-shoot
 - provide training
 - share skills/knowledgeon a specific internal project with UK employees of the same corporate group (no work directly with clients)
- Internal auditor – carry out regulatory/financial audits at UK branch of same group as overseas employer

Permitted activities

Specific sectors

- employee of a foreign manufacturer/supplier – install/dismantle/repair/service/advise on equipment or computer software/hardware where contract of purchase/supply/lease with UK company
- client of a UK export company – may be seconded to the UK company to oversee requirements for goods/services being provided as part of the contract (not part of same group)
- scientists/researchers – gather information/facts for specific projects and/or share knowledge or advise on an international project
- academics – take part in formal exchange arrangement/carry out research for their own purposes
- religious workers – preach/do pastoral work

Permitted activities

Specific sectors

- Translators/interpreter and PAs/bodyguards – supporting overseas BV in permitted activities, provided attending same event and employed by them overseas. (NB no personal care/domestic work)
- Tour group couriers – accompanying overseas tour group
- Drivers – on international route delivering goods/passengers from abroad
- Journalists/producer/cameraman – gathering info for overseas publication/programme/film
- Archaeologists – one-off excavation

Permitted activities

Specific sectors – legal

- an expert witness – to give evidence in court
- other witnesses – if summoned to attend by a UK court
- an overseas lawyer – advise a UK based client on specific international litigation and/or an international transaction

Permitted activities

Specific sectors – creative/sport

- Artist/entertainer/musician:
 - give performances,
 - take part in competitions/auditions
 - take part in promotional activities/make personal appearances
 - take part in permit free festivals
- Film crew – take part in location shoots
- Sportsperson – may take part in tournaments/sports events/trials (no paying audience)/training (not paid by UK sports body)/make personal or promotional appearances/join amateur team/club for experience if an amateur)
- Personal/technical staff/members of production team – support the artist/sportsperson in above activities or PPE activities, provided attending the same event and employed to work for them overseas

Permitted activities

Work related training

- Employees of overseas company – receive training in UK from UK based company in work practices/techniques required for role overseas and not available in home country
- Employees of overseas based training company – delivering short series of training to employees of UK company, if contracted to deliver global training to international group

Permitted paid engagements (PPE)

- Maximum visit one month
- Must intend to do one or more of PPEs and must:
 - be arranged before travel
 - be declared as part of application
 - be evidenced by formal invitation
 - relate to area of expertise and occupation overseas

PPE

- Academics
 - highly qualified in field of expertise
 - examine students/participate in or chair selection panels
 - on invitation of UK HEI/research organisation, as part of their quality assurance process
- Experts
 - lecturers in subject area
 - invited by UK HEI/arts organisation
 - not amount to filling teaching position
- Designated pilot examiner
 - assess UK based pilots, re overseas aviation regulatory requirements
 - invited by UK training org regulated by UK Civil Aviation Authority

PPE

- Qualified lawyers
 - advocacy for hearing, arbitration or other dispute resolution proceedings in UK
 - invited by client
- Professional artist, entertainer, musician or sports person
 - activity directly related to profession
 - invited by creative/sports organisation, agent or broadcaster in UK

Solutions/practical tips

- Clarify intended activities
- Consider whether changes can be made to confine UK activities to fall within scope of visitor permitted activities
- Consider whether changes to pay arrangements appropriate
- Consider provisions for specific sectors/PPE
- Consult the Modernised Guidance for caseworkers
- Seek policy clarification where appropriate
- Consider voluntary entry clearance application (non-visa national)
- Fully substantiate applications with supporting evidence of activities to avoid potential pitfalls
- Risk of refusal at port for non-visa nationals – ensure provided with supporting letters/documentation to allay concerns
- Ensure visitor adequately understands what can/cant do

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