



What is a visa

A visa is a certificate that is put into your passport or travel document at a British mission overseas. The visa gives you permission to enter the UK.

If you have a valid UK visa, they will not normally refuse you entry to the UK unless your circumstances have changed, or you gave false information or did not tell us important facts when you applied for your visa.

When you arrive in the UK, an Immigration Officer may ask you questions, so take all relevant documents in your hand luggage.

When you will need a visa

You will need a visa, if you:

- are a national of one of the countries listed in sign below
- are stateless (you do not have a nationality)
- hold a non-national travel document (a travel document which does not give you the nationality or citizenship of the country that issued it), or
- hold a passport issued by an authority that is not recognised in the UK.

From November 2005 all those who are not British or EEA nationals will need a visa or entry clearance for all stays in the UK over six months. This questionnaire will show the new requirements as soon as possible after they come into effect.

Afghanistan	Gambia	Palestinian Authority
Albania	Georgia	Philippines
Algeria	Ghana	Qatar
Angola	Guinea	Romania
Armenia	Guinea Bissau	Russia
Azerbaijan	Guyana	Rwanda
Bahrain	Haiti	Sao Tome & Principe
Bangladesh	India	Saudi Arabia
Belarus	Indonesia	Senegal
Benin	Iran	Serbia & Montenegro
Bhutan	Iraq	Sierra Leone
Bosnia-Herzegovina	Ivory Coast	Somalia
Bulgaria	Jamaica	Sri Lanka
Burkina Faso	Jordan	Sudan
Burma (Myanmar)	Kazakhstan	Surinam
Burundi	Kenya	Syria
Cambodia	Korea (Dem. People's	Taiwan
Cameroon	Rep)	Tajikistan
Cape Verde	Kuwait	Tanzania
Central African Republic	Kyrgyzstan	Thailand
Chad	Laos	Togo
China, People's Rep. of	Lebanon	Tunisia
Colombia	Liberia	Turkey
Comoros	Libya	'Turkish Republic of
Congo, Democratic	Macedonia	Northern Cyprus'
Republic of	Madagascar	Turkmenistan
Congo, Republic of	Mali	Uganda
Croatia	Mauritania	Ukraine
Cuba	Moldova	United Arab Emirates
Djibouti	Mongolia	Uzbekistan
Dominican Republic	Morocco	Vatican City
Ecuador	Mozambique	(service & emergency
Egypt	Nepal	passports only)
Equatorial Guinea	Niger	Vietnam
Eritrea	Nigeria	Yemen
Ethiopia	Oman	Zambia
Fiji	Pakistan	Zimbabwe
Gabon	Peru	

Since 13 November 2003 nationals of ten "phase one" countries require entry clearance for all stays of more than six months. The "phase one" countries are:
Australia, Canada, Hong Kong SAR, Japan, Malaysia, New Zealand, Singapore, South Africa, South Korea and USA.

How do you apply for a visa

You will need to fill in the appropriate visa application form. You can download the form from the website: www.ukvisas.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1014919208354, or get one, free of charge, from your nearest British mission overseas, where there is a visa section.

You can apply for a visit visa at any full service visa-issuing office. For all other types of visa, you should apply in the country of which you are a national or where you legally live.

You can apply in a number of ways, for example by post, by courier, in person and online. The visa section will tell you about the ways in which you can apply.

What do you need to make your application

This will depend on which category you are applying for entry under. In all cases you will need the following.

- A visa application form, which you have filled in correctly.
- Your passport or travel document.
- A recent passport-sized (45mm x 35mm), colour photograph of yourself.

This should be:

- taken against a light coloured background
- clear and of good quality, and not framed or backed
- printed on normal photographic paper, and
- full face and without sunglasses, hat or other head covering unless you wear this for cultural or religious reasons.
- The visa fee. This cannot be refunded, and you must normally pay it in the local currency of the country where you are applying.
- Supporting documents relevant to your application.

Visas are not required if you are settled in the UK, or if you already have permission to stay in the UK and are returning to the UK before your permission to stay expires.

There are a variety of UK work visas, work permits and passports that will enable you to legally work in the UK; each has their own set of eligibility requirements and restrictions and they are summarised below.

UK Visa Types

It is possible that one or more visa options for working in the UK apply to you. Each option has different validity periods, requirements and restrictions.

UK Working Holiday Visa

Validity: 2 years

Eligibility: you are eligible to apply for a UK working holiday visa if you are a citizen of a Commonwealth country and are aged between 17 and 30 years inclusively.

Other requirements:

- You must be single, or married to someone also eligible for a working holiday visa and plan to take a working holiday with you,
- You must not have dependent children aged five or over during your stay in the UK,
- You must show proof of sufficient funds in your bank account. UK Immigration does not specify how much 'sufficient funds' are. However, the idea is to show that you won't get into financial trouble and rely on public funds to support you. You can do this best by having *approximately* 2500 GBP (AUS\$6000) and a return ticket. If you only have a one-way ticket, you will need to have more funds in your bank account.

Restrictions: You are restricted in the duration of your employment in the UK. You must take work that is incidental to your travel only and this work cannot exceed a total of 12 months of your 2 year visa.

Note: On 7th February 2005, the British Home Office announced important changes to this working holiday visa.

The old system: under the old working holiday scheme, visa holders could work in the UK for the entire 2 years of their stay.

What's new: working holiday makers can only be employed in the UK for a total of 12 of the 24 months duration of their visa. You can work for twelve months straight and travel for 12 months, or you can work for several different periods of time in the UK as long as the total does not exceed 12 months.

Note on Type of Work: it does not appear that the changes have restricted the type of work that a working holiday visa holder can undertake. While you must take work that is only 'incidental to your holiday' there is nothing in the changes to say that this work cannot be in your profession (as per the pre-June 2003 rules stated).

These changes came into effect on 8th February 2005. If you held an approved working holiday visa before 8th February 2005 but had not entered the UK yet, you will enter the UK under the old rules (i.e. you can work for the entire duration of your visa, there is no restriction in that regard). If you have submitted an application but have not yet received approval, you will be subject to the new restrictions and be able to work only for one year in total.

UK Ancestry Visa/Right of Abode

Validity: 4 years (renewable) for Ancestry Visa, indefinite for Right to Abode

Eligibility: you are eligible to apply for a UK Ancestry Visa or Right to Abode if either of your parents (Right to Abode) or your grand parents (Ancestry Visa) were born in the UK.

You will need to provide an original, or certified copy, of the birth certificate.

You will also need to provide proof of your intention to find employment (a registration letter to you from a recruitment agency is sufficient) for the UK Ancestry Visa.

Restrictions: no restrictions on type or duration of work for the Ancestry visa or for the Right to Abode certificate.

Spouse Visa

If your spouse is a British Citizen, or has an Ancestry Visa or Right to Abode in the UK, or is sponsored to work in the UK, then you are eligible to apply for a UK Spouse Entry Visa. This also entitles you to work in the UK and should be applied for and granted prior to entry into the UK.

Restrictions: Dependent on spouse visa status

HSMP - Highly Skilled Migrant Program

This is a fairly new UK immigration program, and is run on a points-based system. The idea is that those with substantial education and career accomplishments may seek to enter and work in the UK. Visit www.workpermits.gov.uk for more information.

British or EU Member Passport

If you have a British Passport, Dual Citizenship or a Passport of any EU member country, you are eligible to work in the UK. If you were born in Britain or any EU member country, or your parents were, you MAY be eligible to apply for citizenship of that country and receive a passport, check with the applicable embassy in your country of residence.

Restrictions: no work restrictions for EU passport holders

Sponsorship by a UK employer

If you are told by the British Consulate or Embassy in your country that you will need a UK work permit this usually means that you will need to be sponsored by a UK employer who will apply for the work permit on your behalf. This means that you will usually need to contact UK employers in your industry directly and enquire about overseas sponsored recruitment.

UK Work Permit

The most important thing to understand in UK work permits is that in the UK the employer applies for the work permit and the work permit is granted for a particular employee. If you are an individual hoping to work in the UK, you cannot apply for a work permit. If you have a work permit for the UK, you can't change jobs without getting a new work permit.

The difference between a Work Permit and a visa

A UK Work Permit is a document issued by the Work Permits (UK), a part of the Home Office Immigration and Nationality Directorate; it gives you permission to employ a specific person in a specific job at a specific location.

A UK Work Permit is not a permission for the employee to take up work in the UK. The permission for an employee to enter and work in the UK is conferred by a UK Immigration or Consular officer who, following the issue of a Work Permit, may issue to the employee a suitable visa. The visa is an endorsement stamped in the employee's passport.

Even if an employee is already working in the UK on a Work Permit, a new employer must obtain a new Work Permit before the employee can change jobs.

Who needs a Work Permit

The following categories of people can take up any lawful employment in the UK and do not need a work permit:

- Nationals of EEA (European Economic Area) countries (the EEA comprises the 25 EU member states - Austria, Belgium, Czech Republic*, Cyprus, Denmark, Estonia*, Finland, France, Germany, Greece, Hungary*, Ireland, Italy, Latvia*, Lithuania*, Luxembourg, Malta, Netherlands, Poland*, Portugal, Slovakia*, Slovenia*, Spain, Sweden, United Kingdom and also Norway, Liechtenstein, and Iceland)
- Those with Indefinite Leave To Remain in the UK (Permanent Residence)
- Those in the UK as the spouse of an EEA national
- Those in the UK as the spouse of a work permit holder, Training Permit Holder, Sole Representative, Investor, Student, ancestry visa holder
- Commonwealth citizens with ancestry visas (sometimes called patriality) these visas are available to Commonwealth citizens with a grandparent born in the UK. They should be applied for by the candidate at the British High Commission in their home country. They are usually issued for a period of four years; after four years in the UK the candidate is generally eligible for permanent residence.
- Those with pending claims for Asylum in the UK (NB workpermit.com does NOT handle asylum applications)
- Those in the UK on a visa as the 'partner' of an EEA national, Work Permit holder, Training Permit Holder Sole Representative, Investor, Student, Ancestry visa holder. These visas are issued in cases where the partners are not legally allowed to marry (for example because they are of the same sex, or because one or both of them are married to someone else) and have been co-habiting for at least two years prior to the visa application

Waiting for a Work Permit

Currently it is taking about one to two weeks for a work permit to be approved.

Most people need to apply for entry clearance to the UK prior to travelling to the UK. There is also a requirement that the spouse and dependents of the work permit holder apply for entry clearance.

Because of Security clearance procedures, applications can take longer for Russian nationals, and can take a lot longer for nationals of North Korea, Libya, Iraq, and China (PRC).

In general, entry clearance applications to the UK may take another one or two weeks after the Work Permit is issued.

During the application process, the candidate is allowed to visit the UK. However, until the permit is approved they are not allowed to begin work. They may only participate in activities permitted for business visitors.

Work Permit Duration and Extension

Work permits are granted for up to five years. After 48 months physically in the UK on a work permit, a sponsored candidate can usually obtain permanent residence. The hope is that after the five years, your employee will have spent 48 months in the UK and thus be able to get permanent residence.

The length of the work permit depends on a number of factors which are normally more related to the employer and the job/project than the strength of the candidate. Our advice is that you should not worry if you get only a short term permit as it will normally be possible for it to be extended if you are still needed by your employer (and if you are not needed by your employer, you may well be able to find a new UK employer who can get another permit for you to stay in the UK).

Start up companies will generally not be granted work permits of more than 18 months duration; these permits are extendable, but copies of the first year's audited accounts will need to accompany the application for extension.

Permits for staff to work at a client's site will be limited to the duration of the contract existing with the client. Applications for any extension will need to be accompanied by proof that the contract has been extended (or that another contract has begun).

It used to be the case that, only in exceptional circumstances, or for board level staff, would work permits be issued for an initial 4 year period. Now it is Work Permits (UK) policy to issue for long periods wherever possible although staff working on client projects are still restricted by contract length. However if a work permit expires, and you have a continuing need for the candidate, it is now very easy to obtain an extension to the permit (the need to re-advertise the post on extension has been formally scrapped).

Work permit extensions: As with the initial application, extensions of work permission can be requested for up to five years, although most work permit holders who meet the criteria will apply for indefinite leave to remain after four years. All applications for extension must be made before the current leave to remain expires. Note that extensions cannot be applied for in the case of Multiple Entry Work Permits but a fresh application for a further permit can be made once the individual concerned is outside the UK.

Indefinite leave to remain: As with many other employment-based categories, individuals who have spent four continuous years in the UK as a work permit holder will usually become eligible for indefinite leave to remain ("ILR"), subject to meeting all the relevant criteria. As noted above, time spent in the UK with a Multiple Entry Work Permit does not count towards indefinite leave to remain.

The on-line Application Form for a Work Permit

You can find it on the web page www.workpermit.com/uk/employer10.htm.