

## Contracting in the UK - visa issues

Contractors who seek work in the UK have three basic choices: they can find a company to sponsor them and obtain a visa for them; they can come for a year-long Youth Mobility or Temporary Worker Visa, or they can seek a Highly-Skilled Migrant Visa.

The entire visa system in the UK is being reworked, and there will be a five-tier system. Visa sponsorship, or the Highly Qualified Migrant Visa, will belong now to Tier 1. Specifics about the points for qualification under the new system are to be published in 2008.

### Effect on Contractors

'It is still too early to form an opinion on the entire impact of the treatment of salary and expenses under the existing umbrella arrangements in the UK, or on the contractual market in general for contractors who work on the HSMP or youth mobility visa. . But the basic system, which permits a contractor to come and work in the UK if the contractor's skills are in demand, is not going to change,' says Amanda Collins, director of the London-based [CXC Global](#), an Australian company that works with contractors in 14 different countries.

### Gordon Brown Wants You

But no less than prime minister Gordon Brown himself said in a recent speech that the Highly-Skilled Migrant Visa is here to stay. He described the Highly Skilled Migrant Visa as "highly successful" and noted that there is ongoing demand for skilled foreigners in the financial services sector. There are several hundred thousand skilled contractors from abroad working in the City of London alone, according to Downing Street.

### Sponsorship

It is always possible for a company--a client, not an agency--which wishes to hire a contractor from abroad to sponsor that contractor's visa. Obtaining sponsorship is one of the most difficult choices, however, because the contractor can only work for the company that has done the sponsorship. Not for subsidiaries, nor can the contractor be hired or loaned out to other companies. "There's no flexibility in sponsorship," says Collins. "You work directly and only for the one company. When that project runs out, you will need to find a new employer to apply for a new permit on your behalf or you will need to return to your home country."

“ The most flexible option for a contractor from abroad is the Highly Skilled Migrant Visa ”

Amanda Collins-CXC Global

### Working Holiday Visas

The Working Holiday Visa--which is soon to be renamed the Youth Mobility and Temporary Workers Visa--offers another opportunity, but only for the period of a year. Obtaining the Working Holiday visa isn't about working, in fact. It's about coming for a visit to the UK, one in which you are permitted to work. You don't obtain this visa on a skills basis; you show that you have sufficient resources to last through a year-long holiday in the UK. Then when you get to the UK, you can find some work.

### The Highly-Skilled Migrant Visa

The HSMP visa is only for the best-qualified individuals, encompassing entrepreneurs, investors and high earners. The main change which is evident at this early stage of the announcement for the Highly Skilled Migrant Programme is that it is now only going to be necessary for an applicant to make one application rather than two which was the norm until 2008.

"This visa offers the most opportunities for contractors because they can work for any number of companies under it, and it permits them to stay for much longer periods than a year," adds Collins.

Completing the application for this visa is quite complicated, Collins explains. It is not so much the application itself, but the form in which the various justificative pieces must be couched that can be daunting. "The danger of being refused because documents aren't in the right form is considerable, and contractors should probably take advice before submitting the application," Collins warns.

“ The Highly Skilled Migrant Visa has been highly successful ”

Prime Minister Gordon Brown

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