

Do I need a visa to work as a contractor in the UK?

Finding out whether or not you will require a visa to work as a contractor in the UK is straightforward. Contractors who are not UK citizens and who come from countries outside the European Union (EU) in the vast majority of cases have to [apply for a visa](#) in order to be able to work lawfully in the UK. Having a visa means they are classified as 'visa nationals' by the UK's Border Authority.

Contractors from EU states that joined in 2005 and 2007 and contractors from the European Economic Area (EEA) may also have to register and request permission to be able to work legally, but this depends on their specific country of origin.

Whether a visa is required, and the type of visa required, depends on numerous factors. These include: the contractor's nationality, their personal circumstances and finances, their qualifications and level of English, whether they have a sponsor and existing assignment to go to, and the type of work they want to do in the UK.

Which nationalities require a visa?

Contractors who are citizens of the UK and EU member states can travel and work freely in the UK without requiring any documentation. However, some identification (ID) documents may be necessary for registration with health, social and education services authorities and to open a bank account.

If the contractor is an EU citizen from a member state that joined in 2005 and 2007, they have to abide by different rules. Contractors from the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia or Slovenia must register under the Worker Registration Scheme.

Different rules also apply for Bulgarian and Romanian workers, and unless exempt because they fall within a specific worker category, most contractors will have to apply for an accession worker card before they can start their first contract.

Separate rules apply to members of the European Economic Area (EEA). The EEA includes the countries of Iceland, Norway and Liechtenstein, and contractors who are citizens of these countries have the same rights to live and work in the UK as an EU citizen. Because of bilateral agreements between the UK and Switzerland, Swiss contractors can also come to the UK and work without a Visa.

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For other nationalities, the [UK Border Agency website](#) has an [online interactive questionnaire](#) that helps a contractor determine whether a visa is required.

The Points Based System (PBS) for UK work visas

The UK's visa application process uses a Points Based System, or PBS. Contractors who want to work in the UK must apply for a visa under the correct 'Tier' of the new PBS. The Tiers are:

Tier 1 (General) Migrant, of which there are sub-tiers: General; High value (Investor & Entrepreneur); Post-study work; and Exceptional talent

Tier 2 Skilled workers

Tier 5 Temporary workers and Youth mobility scheme

Other categories

UK ancestry for Commonwealth citizens.

The Tier 1 (General) category has historically been the most appropriate tier for contractors since the points based system was introduced in 2007, but at the time of writing this tier is closed to new applicants from outside of the UK.

If a contractor is a Commonwealth citizen, they may also be eligible to apply for a visa to live and work in the UK under the UK ancestry route. To be eligible, the contractor must be a Commonwealth citizen, be able to financially support themselves and their family, and be able to prove that one of their grandparents was born in the UK, or on a British-registered ship or aircraft.

Applying for a visa

Realistically, until the UK's immigration policy is relaxed, contractors who are non-UK and EU citizens are only able to apply for a high value or exceptional talent visa under Tier 1. Alternatively, if they have a skill listed on the Shortage Occupation List, can secure a sponsor and a contract beforehand, a contractor may be eligible for a Tier 2 Skilled worker visa.

Contractors who want to apply for a visa to work in the UK on a contract should first visit the UK Border Agency website and use the [Points Based Calculator](#) to work out how many points they score. Their score will be based on criteria such as qualifications, age, income and personal net financial worth,

English language skills and previous experience working in the UK.

If they score above the minimum points, then the next stage is for the contractor to check the UK Border Agency website for specific instructions on how to apply. Different types of visas have different application processes, so it is important that contractors keep to the rules, or they risk having their application rejected.

Using an immigration advisor

Some contractors may prefer to use a professional, such as a lawyer or immigration adviser, to assist with their application. Such UK-based advisers are regulated by the [Office of the Immigration Services Commissioner](#) (OISC) and by professional bodies, such as the [Law Society](#).

Sadly, less scrupulous advisers exist that may look official but are not regulated in any way. Whilst some of these act in the best interests of their clients, others do not and make a living selling expensive services to people who have no chance of ever gaining a UK visa.

So contractors who decide to pay for assistance are strongly urged to use only advisers regulated by the OISC and Law Societies of England and Wales, Scotland and Northern Ireland.

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