This guidance is to be used for all Tier 2 and Tier 5 governing body endorsement requests made on or after the 19 November 2019.

Section 1: overview of governing body endorsements for Tier 2 (Sportsperson) and Tier 5 (Temporary Worker) Creative and Sporting categories of the points-based system

This page provides a brief explanation of what endorsement requirements apply in respect of the Tier 2 (Sportsperson) and/or Tier 5 (Temporary Worker) Creative and Sporting categories of the points-based system.

The Tier 2 (Sportsperson) category is for elite sportspeople, coaches and performance analysts who are internationally established at the highest level and whose employment will make a significant contribution to the development of their sport at the highest level in the UK, and who will base themselves in the UK; and the post cannot be filled by a suitable settled worker.

The Tier 5 (Temporary Worker) Creative and Sporting category is for sportspeople (and their entourage where appropriate), coaches and performance analysts who are internationally established at the highest level in their sport, and/or will make a significant contribution to the development of their sport in the UK.

The application process explained: migrants applying to come to the UK under either of the sporting categories above need to be sponsored by an organisation that has a sponsor licence under Tier 2 (Sportsperson) or Tier 5 (Temporary Worker) Creative and Sporting.

If you wish to sponsor such migrants, you must have a sponsor licence. Before you apply to the Home Office for a licence you must be endorsed by the approved governing body for your sport. This endorsement confirms to the Home Office that the application for a licence is from a genuine sports club (or equivalent) that has a legitimate requirement to bring migrants to the UK as sportspeople. Once licensed, you can assign certificates of sponsorship (CoS) to a sportsperson or coach with a job offer that allows them to apply for leave to enter or remain in the UK. Each individual must also have a personal endorsement from the approved governing body for their sport before you assign the certificate of sponsorship.

An approved governing body is one specified in Appendix M of the Immigration Rules. Such a governing body must be recognised by one of the home country sports councils such as Sport England, and will have been approved by the Home Office before being included in Appendix M of the Immigration Rules.
Approved governing bodies will work within the Home Office ‘Code of practice for sports governing bodies’ and must comply with any immigration regulations, UK legislation and the principles of the points-based system as detailed on the GOV.UK website.

**Length of endorsement**

Governing body endorsements should be issued for a period appropriate to the period of approval for sponsorship or the tier under which the migrant’s application is being made, that is:

<table>
<thead>
<tr>
<th>Type of application</th>
<th>Tier</th>
<th>Length of endorsement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sponsor</td>
<td>Tier 2 (Sportsperson) and/or Tier 5 (Creative and Sporting)</td>
<td>4 years from date of issue</td>
</tr>
<tr>
<td>Migrant</td>
<td>Tier 2 (Sportsperson)</td>
<td>For an initial maximum period of 3 years, with a further extension of a maximum period of 3 years. If the contract is for fewer than 3 years, it will be issued for the length of the contract.</td>
</tr>
<tr>
<td>Migrant</td>
<td>Tier 5 (Temporary Worker) Creative and Sporting</td>
<td>For the length of the contract or up to a maximum of 12 months, whichever is the shorter period.</td>
</tr>
</tbody>
</table>

**Change of employment**

If a migrant is intending to change employer, their new employer must request a new governing body endorsement. The endorsement can be issued for the length of the contract or to the maximum period permitted within the category, whichever is the shorter. The new employer must assign a new CoS to the migrant to allow them to apply to the Home Office for new leave to remain. Leave to remain must be granted before the migrant can start work with the new employer.

**Salary**

The salary should be agreed as part of the contract between the migrant and the sponsor. This and the other conditions of employment should be at least equal to those normally given to a resident worker for the type of work undertaken.
**Supplementary Employment**
Tiers 2 and 5 migrants are eligible to undertake supplementary employment under the Home Office supplementary employment regulations. The ‘Supplementary employment’ section of the [Tiers 2 and 5: guidance for sponsors](#) has more information on this.

**Section 2: requirements**
This page explains the Royal Automobile Club Motor Sports Association Limited (Motorsport UK) requirements for (more than) four-wheeled motorsport under the Tier 2 (Sportsperson) and Tier 5 (Temporary Worker) Creative and Sporting categories. The requirements are effective from 19 November 2019.

These requirements are applicable to England, Scotland, Northern Ireland and Wales.

**Consultation**
The following requirements have been agreed by the Home Office following consultation with Motorsport UK and discussion with relevant teams and championship coordinators.

**Review**
The requirements will be reviewed annually. The next review will be due in September 2020.

**Length of season**
The season for motorsport typically runs from 1 January to 31 December.

**Requirements**
The table below shows the endorsement requirements for sponsors and migrants.

<table>
<thead>
<tr>
<th>Category</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sponsor</td>
<td>Governing body endorsements will only be considered for a team competing in circuit racing (including kart racing), rallying or rallycross competitions at National or British Championship standard. They must have a current Motorsport UK entrant licence or competition licence and be currently trading in motorsport or the motorsport industry.</td>
</tr>
<tr>
<td>Tier 2 (Sportsperson) and or Tier 5 (Temporary Worker) Creative and Sporting</td>
<td></td>
</tr>
</tbody>
</table>
| Migrant Tier 2 (Sportsperson) and or Tier 5 (Temporary Worker) Creative and Sporting | Competitor - Driver | Governing body endorsements will be available for migrants who are seeking employment with a manufacturer, team or Championship organiser.

Individuals must be able to evidence previous and appropriate motorsport competition experience as follows:

- operates to and is established at a national or international level and will make a positive contribution to the development of motorsport in the UK
- must not be subject to a suspension or an unexpired period of ineligibility from motorsport activities as a result of being charged with, or found guilty of, a corruption, doping and any other misconduct offence
- will have competed in at least four events in the previous two years at a similar level championship or feeder championship such as National or British Championship standard in another country
- will be required to provide a CV setting out their experience to date, including evidence that they have achieved success at a comparable level and are competent at a national or international level

They must also be able to comply with the following Motorsport UK licence criteria:

- hold a current competition licence issued by Motorsport UK or by a National Sporting Authority (ASN) recognised by the Federation Internationale de l’Automobile (FIA) as the World Governing Body for motorsport
must be able to satisfy current Motorsport UK licensing requirements to gain a motorsport competition licence at the appropriate level to compete in the UK, or be an existing FIA recognised International Grade licence holder in a country whose National Sporting Authority is able to validate accuracy and correctness of the details provided

- the applicant’s sponsor must be able to supply a copy of the proposed contract for Motorsport UK scrutiny

**Injuries**

Events for which a competitor was unavailable for selection are to be excluded when calculating the competitor’s appearance percentage. Unavailable for selection means the competitor was not available to compete due to injury or suspension and written evidence supporting this, setting out the Events missed and the reason(s), must be provided by the competitor’s doctor to Motorsport UK for consideration. (Consideration will be given to injury, a period of maternity or paternity leave and any other legitimate medical reasons).

**Technician or Team Manager**

Motorsport UK will consider applications for a Technician or Team Manager who will make a significant contribution to the development and organisation of the sport in the UK. When making a decision on the issue of an endorsement, the Motorsport UK will consider:

- the applicant’s proposed contract
- the individual’s qualifications
- the individual’s relevant motorsport competition experience in their specialist field working with
competitors competing at a National or British Championship standard, which should usually be at least 2 years

- the financial package offered to the individual, in particular, whether it is compatible with market rates in the UK
- evidence of the training, experience and skill set of the migrant in relation to the specific appointment

and to provide reasonable assurance that the appointment is unlikely to dispel local labour.

**Suspensions**

In order to obtain the governing body endorsement, the individual must not be subject to a provisional suspension or any unexpired period of ineligibility from competing and/or coaching activities in any jurisdiction as a result of being charged with or found guilty of a corruption offence and/or a doping offence and/or another misconduct offence.

**Further information**

This information is available on the Motorsport UK website.

For any queries relating to the requirements or the endorsement process please contact:

Jennifer Carty  
Compliance Manager  
Motorsport UK  
Telephone: 01753 765 071  
Email: jennifer.carty@motorsportuk.org

Information on visas and immigration is available on the GOV.UK website.
Dispute handling procedures

Where an application for a competitor or a Technician or Team Manager covered by the requirements for a governing body endorsement as set out for Tier 2 (Sportsperson) & Tier 5 (Temporary Worker- Creative and Sporting) has been refused on the grounds that the competitor or technician/team manager fails to meet the published requirements,

the sponsor may seek a review of the application. The sponsor will have 28 days to request such a review. In these cases, Motorsport UK will refer the sponsor’s evidence to an independent panel as set out below.

Where possible the sponsor’s supporting evidence will be sent to the panel in advance for their consideration in order to allow an informed decision.

Sponsors should note that, in respect of any application, there will only be one panel available and the decision of the panel is final. Sponsors should therefore ensure that all evidence it wishes to present in support of its application is presented to the panel. If the sponsor has previously made an application that was unsuccessful at panel a further panel cannot be requested for the same individual during the same year unless his/her status changes and he/she meets the requirements whereby a new application can be submitted.

a. The Review

The request for a review may only be made by the sponsor for whom the governing body endorsement has been initially rejected by Motorsport UK.

A review shall be commenced by the appellant lodging with Motorsport UK Regulatory Counsel, a notice of appeal within 28 days of the decision appealed against. The notice of appeal shall:

i. set out details of the decision appealed against and, if the whole of the decision is not appealed against, identify that part of it which is appealed against;

ii. set out in full the grounds of appeal and an appellant shall not be entitled to rely in any ground of appeal not set out in the notice of appeal; and
iii. be accompanied by a deposit of £125. The panel shall have discretion as to whether the deposit is returned.

The procedure for appeal will be in accordance with the National Court pursuant to General Regulation C.9.1.3 of the Motorsport UK General Regulations and the Panel shall be comprised as detailed below.

b. The Panel

The panel will be appointed by the National Court Administration. The appointed panel shall consist of: an independent legally qualified chairman and two persons not employed by Motorsport UK and (who have not been involved in the initial decision).

c. Power of the Panel

An endorsement request may be refused if the competitor or a Technician or Team Manager does not meet the relevant criteria set out in this document or fails to provide the mandatory documents. Motorsport UK will notify a competitor or a Technician or Team Manager in writing of any endorsement request which is refused setting out the reasons for refusal.

A competitor or a Technician or Team Manager may only appeal by review as above on the basis that Motorsport UK have not applied the endorsement criteria correctly.

d. The Decision

The panel will make a decision only using the above criteria which shall be final and binding. There are no other grounds of appeal.
Section 3: process for applying for an endorsement

You must first request endorsement as a sponsor, by completing and returning the Motorsport UK Sponsor Licence Governing Body Endorsement Application. If you meet the relevant requirements, Motorsport UK will issue a unique sponsor endorsement number which you can then use as part of your application to the Home Office to become registered as an official sponsor.

Once you have obtained a sponsor licence from the Home Office, you must provide Motorsport UK with your sponsor licence number (SLN). If you then wish to sponsor a migrant worker as a rider, coach or performance/team manager, you must apply for a Motorsport UK Migrant Endorsement for each individual, by completing the relevant forms and providing the required supporting evidence. If all requirements are met and supporting evidence provided, Motorsport UK will issue you with a governing body endorsement for each migrant, including an endorsement number unique to each individual, to be used as part of your CoS for that individual. You should note, the CoS end date must not exceed the governing body endorsement end date.