

The following guide provides a brief overview of the Government points-based immigration system, how the system works and what it means for MSA licensed teams that are seeking to employ migrant workers as sportspeople (e.g. drivers).

### Who does the system apply to?

The points-based system applies to migrants from outside the European Economic Area (EEA) and Switzerland. If an MSA licensed team wishes to employ an EEA or Swiss national, it should be able to do this without needing to join the scheme, although there are some restrictions on nationals of countries that have recently joined the EEA.

### How does the system work?

Under the system, migrants need to pass a points-based assessment before they are given permission to enter or remain in the United Kingdom. The system consists of five tiers. Points are awarded to reflect the migrant's ability, experience and age, and when appropriate, the level of need within the sector in which the migrant will be working. For more information on the points-based system, please see [UK Visas and Immigration website](#).

### What are the tiers?

The points-based system consists of five tiers. The applicable tiers for MSA licensed teams are Tier 2 and Tier 5.

- **Tier 2** of the points-based system is for elite sports people and coaches who are internationally established at the highest level, whose employment will make a significant contribution to the development of their sport at the highest level in the UK and who intend to base themselves in the UK.
- **Tier 5** of the points-based system is for internationally established sports people at the highest level in their sport and/or whose employment will make a significant contribution to the development and operation of that particular sport in the UK. It is also for coaches who must be suitably qualified to fulfil the role in question. This category is for sports people coming to the UK to perform for up to 12 months.

If an MSA licensed team wishes to recruit a migrant under Tier 2 and Tier 5, they will have to apply for a sponsor licence from the Home Office and will need to obtain approval from the MSA in the form of a governing body endorsement (GBE) of their application for a licence. This endorsement confirms to the Home Office that the sponsor application is from a genuine sports club or equivalent that has legitimate requirement to bring migrants to the UK as sports people.

Once the sponsor licence has been approved, the team (sponsor) will have to obtain an endorsement from the MSA for all applications made for individual sportspeople. Only then will the team be able to apply for Certificates of Sponsorship (CoS) from the Home Office. A separate GBE will be required for each individual CoS to be issued.

## Guidance for Teams: The Government Points-Based Immigration System

Most migrants wanting to come to the UK under the points-based system will need prior entry clearance and they can only do this with a CoS. The Home Office will then decide if a visa will be issued.

- Tier 2 GBE's are issued by the MSA for the length of contract, or up to 3 years maximum (whichever is shorter).
- Tier 5 GBE's are issued by the MSA for the length of the contract, or up to 12 months maximum (whichever is shorter).

A separate endorsement will be required for each Tier that a team (sponsor) wishes to sponsor under.

Once they have been licensed, a team's behaviour and compliance with their duties will continue to be monitored. Visits, to the premises of those employers listed on the sponsor register, can be made with prior agreement or by an unannounced Home Office audit.

Guidance on the MSA website details the criteria that both the sponsors and the migrants must fulfill for the MSA to provide a Governing Body Endorsement under the points-based system for migrants.

*Please note that the MSA cannot provide advice or guidance on immigration routes, processes or an individual's status. Information on aspects of immigration policy and law can be obtained from the Home Office (see Useful Contacts guide/link) or you may wish to seek advice from an OISC registered immigration advisor, or someone who is otherwise exempt from such a registration requirement, for example a qualified solicitor.*