

# MSA governing body endorsement requirements

This guidance is to be used for all Tier 2 and Tier 5 governing body endorsement requests made on or after the 5 October 2016.

## **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 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:

Type of application	Tier	Length of endorsement
Sponsor	Tier 2 (Sportsperson) and/or Tier 5 (Creative and Sporting)	4 years from date of issue
Migrant	Tier 2 (Sportsperson)	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.
Migrant	Tier 5 (Temporary Worker) Creative and Sporting	For the length of the contract or up to a maximum of 12 months, whichever is the shorter period.

## 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 (MSA) requirements for four-wheeled motor sport under the Tier 2 (Sportsperson) and Tier 5 (Temporary Worker) Creative and Sporting categories. The requirements are effective from 5 October 2016.

These requirements are applicable to England, Scotland and Wales.

### Consultation

The following requirements have been agreed by the Home Office following consultation with the MSA.

### Review

The requirements will be reviewed biennially. The next review will be due in September 2018.

### Length of season

The season for motor sport typically runs from 1 January to 31 December.

### Requirements

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

Category	Requirement	
<b>Sponsor</b> Tier 2 (Sportsperson) and or Tier 5 (Temporary Worker) Creative and Sporting	Governing body endorsements will only be considered from a: <ul style="list-style-type: none"><li>• manufacturer</li><li>• team</li><li>• MSA Championship organiser</li></ul> They must have a current MSA entrant licence or competition licence and be currently trading in motor sport or the motor sport industry.  Governing body endorsements will only be issued to teams and migrants for events and Championships at a National or British Championship standard.	
<b>Migrant</b> 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 motor sport competition experience as follows: <ul style="list-style-type: none"><li>• operates to and is established at a</li></ul>

		<p>national or international level and will make a positive contribution to the development of motor sport in the UK</p> <ul style="list-style-type: none"> <li>• must not be subject to a suspension or an unexpired period of ineligibility from motor sport activities as a result of being charged with, or found guilty of, a corruption, doping and any other misconduct offence</li> <li>• will have competed at a similar level championship or feeder championship such as National or British Championship standard in another country</li> <li>• will be required to provide a CV setting out their experience to date, including evidence that they have achieved success at a comparable level are competent at a national or international level</li> </ul> <p>They must also be able to comply with the following MSA licence criteria:</p> <ul style="list-style-type: none"> <li>• hold a current competition licence issued by the MSA or by a National Sporting Authority (ASN) recognised by the Federation Internationale de l'Automobile (FIA) as the World Governing Body for motor sports</li> <li>• must be able to satisfy current MSA licensing requirements to gain a motor sport 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</li> <li>• the applicant's sponsor must be able to supply a copy of the proposed contract for MSA scrutiny</li> </ul>
<p><b>Migrant</b> Tier 2 (Sportsperson) and or Tier 5 (Temporary Worker) Creative and Sporting</p>	<p>Technician or Team Manager</p>	<p>MSA 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</p>

		<p>endorsement MSA will consider:</p> <ul style="list-style-type: none"> <li>• the applicant’s proposed contract</li> <li>• the individual’s qualifications</li> <li>• the individual’s relevant motor sport competition experience in their specialist field working with competitors competing at a National or British Championship standard. which should usually be at least x years</li> <li>• the financial package offered to the individual, in particular whether it is compatible with market rates in the UK</li> <li>• 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 displace local labour.</li> </ul>
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**Further information**

This information is available on the [MSA](#) website.

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

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Information on visas and immigration is available on the [GOV.UK](#) website.

**Dispute handling procedures**

The MSA has instigated a procedure in respect of complaints made against decisions of the MSA regarding refusal to endorse immigration applications subject to Home Office regulations. Copies of this procedure are available upon request. Complaints submitted will be considered on a rolling basis.

### **Section 3: process for applying for an endorsement**

You must first request endorsement as a sponsor, by completing and returning the MSA Sponsor Licence Governing Body Endorsement Application. If you meet the relevant requirements, the MSA 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 the MSA 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 an MSA 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, the MSA 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.