

Artists and Performers from outside the EEA - Arrangements Factsheet

Background

Following the entry into force on 1 January of the Employment Permits Act 2006, the Department of Enterprise Trade and Employment will no longer be issuing work permits to foreign national (i.e. Non EEA) artists and performers - which definition includes film crews and the technicians, road crews and support personnel engaged in the staging of a performance - coming to Ireland. Heretofore the position was that such activity required a work permit either in respect of an individual artist/performer or for a group where appropriate. This requirement no longer applies.

Arrangements

Artists and performers coming to Ireland are now exempt from the requirement to have a work permit provided that

- a. they will be present for a limited and predetermined period, which cannot in any event exceed 90 days
- b. their presence is in respect of a specific event or series of events of an artistic nature organised in advance of their visit and in which they are directly involved
- c. they are not employees of an Irish resident individual or company

This exemption is limited to those coming to Ireland to take part in performances or events and thereafter leaving to the state. It does not apply to those intending to seek employment in any branch of the entertainment or leisure industry.

In cases of doubt the Work Permits Section of the Department of Enterprise Trade and Employment should be consulted.

It should be noted that the removal of the requirement to have a work permit for this activity relates only to the operation of the labour market in this sector. It confers or implies no right of entry to Ireland. Such permission to enter will continue to be a matter for the immigration authorities at the port of entry.

For the purposes of these arrangements there are essentially two categories of Non-EEA artists and performers coming to Ireland. These are

- a. Nationals of countries subject to a visa requirement
- b. Nationals of countries to which the visa requirement does not apply

The arrangements for these groups are as follows.

Visa Required Persons

Persons of the nationality of a country appearing on the most recent Visas Order <http://www.justice.ie/80256E010039E882/vWeb/pcJUSQ6WNDNL-en> as subject to a visa requirement must apply for a visa as heretofore. As they will no longer require a work permit, they should supply other supporting documentation with their application so as to satisfy the visa officer that they are coming to Ireland for a bona fide artistic purpose, for specific engagements and for a specific duration. The visa application should in addition to the normal information provided in respect of such an application, be supported by any documentary evidence of the sort that would previously have been supplied in connection with an application for a work permit, e.g. an original contract or letter confirming their engagement to perform, details of the venues and dates of the performances, any publicity material etc.

For Promoters – Visa Required Performers

It is strongly recommended that promoters, including organising committees etc., involved in bringing visa required performers into Ireland should forward in good time, on company letterhead, to the Visa Section in the Irish Naturalisation and Immigration Service at 13-14 Burgh Quay, a schedule of all visa required persons due to take part in artistic event operated or promoted by them. Alternatively this schedule may be e-mailed to the following address visamail@justice.ie. The purpose of this is to assist the visa officer in assessing bona fides of the visa application. The details furnished should include, the following:

- Surname
- Forename
- Date of Birth
- Nationality
- Passport No
- Country of issue of Passport
- Intended Date and location of arrival
- Intended date and location of departure
- Venue and date(s) of show(s)
- Nature of Participation: e.g. Performer, technician, management etc.
- Name, Mobile number and E-mail address of a contact person dealing with the event for immigration purposes

Non- Visa Required Persons

For persons from outside the EEA who do not require a visa to enter Ireland the first interaction with the immigration system will be when they present themselves at the border. It is a matter for the immigration officer to determine whether they should be admitted and the onus is on the individual to satisfy the officer as to the purpose of his/her visit. These persons will be asked for documentary evidence in support of their assertion that they are coming to Ireland to take part in an artistic event or events. The sort of documentation required is the same as that referred to above in respect of persons to whom the visa requirement applies, i.e. an original contract or letter confirming their engagement to perform, details of the

venues and dates of the performances, any publicity material etc. They should also be able to produce evidence of planned departure, e.g. via return air ticket.

For Promoters - Garda National Immigration Bureau

Where groups of artists and performers, visa required and non-visa required, are being brought into the country by a promoter, including organising committees etc., the promoter should ensure that some responsible person travelling with the party, e.g. tour manager, carry a schedule on the company's official notepaper of the non-EEA members of the travelling party. The purpose of this is to facilitate processing of the application to enter the state of the members of the party. The promoter should forward a copy of this schedule in good time in advance to the Garda National Immigration Bureau by E-mail to gnib_dv@garda.ie.

Notifications received close to the arrival date cannot be guaranteed to have been circulated to immigration staff.

The information that should be provided on the schedule is in respect of each performer:

Surname

Forename

Date of Birth

Nationality

Passport No

Country of issue of Passport

Intended Date and location of Arrival

Intended Date and location of Departure

Venue and Date(s) of show(s)

Nature of participation: e.g. Performer, technician, management etc.

Name, Mobile number and E-mail address of a contact person dealing with the event for immigration purposes

It should be noted that prior notification of the intended arrival of performers does not in any way guarantee their entry. The information being provided in this manner is to assist the immigration authorities in processing the persons on the list as they arrive but the responsibility of satisfying the immigration officer as to the purpose and duration of the visit rests with the individual traveller. The State has no responsibility for any costs that may be incurred by a person who is refused entry.

Persons Permitted to Enter - Stamp Issued

Persons permitted to enter will be issued with a Stamp 3 for the duration of the specified period of the engagement plus a 3-day grace period. While this stamp does not permit a person to work in the State this restriction will apply to any work other than that specifically covered by their application under this scheme.

Monitoring

Promoters may be asked periodically, as part of the ongoing monitoring of these arrangements to provide details of the departure from the State of the persons listed as taking part in an artistic event.