



# Immigration Rules

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Published 25 February 2016

Updated: 14 October 2025 - [See all updates](#)



[Back to contents](#)

## Immigration Rules Appendix Temporary Work – Creative Worker

The Temporary Work - Creative Worker route is for a person who wants to work within the creative sector.

The Temporary Work - Creative Worker route is for a person who wants to come to the UK to work within the creative sector.

A Creative Worker is someone who can make a unique contribution to the UK's rich cultural life, for example, as an artist, dancer, musician or entertainer, or as a model contributing to the UK's fashion industry.

A person can be granted permission for up to 12 months initially and can apply to extend their stay up to a maximum of two years if they are still working for the same sponsor.

A partner and children can apply as dependants on this route.

The Creative Worker route is not a route to settlement.

## Validity requirements for a Creative Worker

CRV 1.1. A person applying for entry clearance or permission to stay as a Creative Worker must apply online on gov.uk on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	Either: <ul style="list-style-type: none"><li>• Temporary Worker using the UK Immigration: ID Check app; or</li><li>• the forms listed below for applicants outside or inside the UK (as relevant)</li></ul>
Applicants outside the UK	Temporary Worker visa
Applicants inside the UK	Temporary Worker

CRV 1.2. An application for entry clearance or permission to stay as a Creative Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided biometrics when required; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must have a Certificate of Sponsorship that was issued to them no more than three months before the date of application.

CRV 1.3. If applying for permission to stay, the applicant must be in the UK on the date of application.



CRV 1.3A. If applying for permission to stay, the applicant must have, or have last had, permission as a Creative Worker.

CRV 1.4. An application which does not meet all the validity requirements for a Creative Worker may be rejected as invalid and not considered.

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## Suitability requirements for a Creative Worker

CRV 2.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CRV 2.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
  - (b) on immigration bail.
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## Eligibility requirements for a Creative Worker

### Entry requirements for a Creative Worker

CRV 3.1. A person seeking to come to the UK as a Creative Worker must have applied for and obtained entry clearance as a Creative Worker before they arrive in the UK, except where CRV 3.2. applies.

CRV 3.2. A person arriving in the UK who is seeking entry as a Creative Worker and does not have a valid entry clearance on that route may be granted permission to enter if the following requirements are met:

- (a) the applicant is not a visa national; and
- (aa) has, where required under Appendix Electronic Travel Authorisation, obtained an Electronic Travel Authorisation before travelling to the UK.; and
- (b) the applicant has a valid Certificate of Sponsorship from an approved sponsor for the Creative Worker route; and

(c) if the applicant has consecutive engagements, the total length of all the periods of engagement, together with any gap between those engagements, is three months or less; and

(d) if the applicant does not have consecutive engagements, the total length of the period of engagement is three months or less; and

(e) the person otherwise meets the requirements to be granted permission as a Creative Worker.

CRV 3.3. A person applying for entry clearance as a Creative Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.



## Sponsorship requirement for a Creative Worker

CRV 4.1. The applicant must have a valid Certificate of Sponsorship for the job they are planning to do; which to be valid must:

(a) confirm the applicant's name, that they are being sponsored as a Creative Worker, and details of the job and pay the sponsor is offering them confirming that these arrangements comply with the National Minimum Wage; and

(b) include a start date, stated by the sponsor, which is no more than 3 months after the date of application; and

(c) not have been used in a previous application which was either granted or refused (but can have been used in a previous application which was rejected as invalid, made void or withdrawn); and

(d) not have been withdrawn by the sponsor or cancelled by the Home Office; and

(e) confirm that the role meets the relevant requirements at CRV 4.2.

CRV 4.2. The sponsor must demonstrate that:

(a) the details of the occupation the applicant will be doing comply with the relevant Code of

## Practice under Appendix Creative Workers

Codes of Practice where one exists for that occupation; or

(b) where there is no relevant Code of Practice under Appendix Creative Workers Codes of Practice for the occupation the applicant will be doing, the applicant will:

(i) be performing a role in the creative industries that appears in Appendix Skilled Occupations; and

(ii) make a unique contribution to creative life in the UK.

CRV 4.3. If the Certificate of Sponsorship records that the applicant is being sponsored for more than one engagement by the same sponsor, there must be no more than 14 days between each individual engagement. Time spent by the applicant outside the UK (including the dates of their departure from and return to the UK) will not be counted towards this period.

CRV 4.4. If the applicant has consecutive engagements, each sponsor must assign its own Certificate of Sponsorship to the applicant, and each Certificate of Sponsorship must meet the requirements in CRV 4.1. to CRV 4.3.

CRV 4.5. The sponsor must operate or intend to operate within the creative sector and be authorised by the Home Office to sponsor the job in question under the Creative Worker route.

CRV 4.6. The sponsor must be listed as A-rated on the Home Office's register of licensed sponsors, unless the applicant was last granted permission as a Creative Worker and is applying to continue working for the same sponsor as in their last permission.

CRV 4.7. The decision maker must not have reasonable grounds to believe the job the applicant is being sponsored to do does not comply with the National Minimum Wage Regulations or the Working Time Regulations.

CRV 4.8. The applicant must provide details of any transport, living allowances and other expenses



paid by the sponsor or any other person or organisation to the applicant and whether the sponsor will seek to recoup these costs, either through payroll deductions or any other means.

CRV 4.9. If the Certificate of Sponsorship associated with the application is declared part of a group by the sponsor and the work of the applicant is directly related to the employment of an entertainer or a cultural artist whose application has been refused, all applications within the group will be refused.

CRV 4.10. The applicant must not be filling a permanent position, including on a temporary basis.



## Genuineness requirement for a Creative Worker

CRV 5.1. The applicant must:

- (a) genuinely intend, and be able, to undertake the role for which they are being sponsored; and
- (b) not intend to undertake employment other than in the role for which they are being sponsored, or as otherwise permitted by paragraph CRV 9.5.

## Financial requirement for a Creative Worker

CRV 6.1. If the applicant is applying for permission to stay and has been in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

CRV 6.2. If the applicant is applying for entry clearance, or is applying for permission to enter under CRV 3.2, or is applying for permission to stay and has been in the UK for less than 12 months on the date of application, either:

- (a) the applicant must have funds of at least £1,270; or
- (b) the applicant's A rated sponsor must confirm on the Certificate of Sponsorship that they will, if it is necessary, maintain and accommodate the

applicant up to the end of the first month of their employment for an amount of at least £1,270.

CRV 6.3. If CRV 6.2.(a) applies, the applicant must show that they have held the required level of funds for a 28-day period and as specified in Appendix Finance.

## **Parental consent requirement for a Creative Worker**

CRV 7.1. The applicant must meet the parental consent requirement for “applicant not applying as a dependent child” in Appendix Children.

CRV 7.2. DELETED.



## **Decision on an application as a Creative Worker**

CRV 8.1. If the decision maker is satisfied that all the suitability and eligibility requirements for the Creative Worker route are met, the application will be granted, otherwise the application will be refused.

CRV 8.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

## **Period of grant for a Creative Worker**

CRV 9.1. If the application is for entry clearance, the applicant will be granted whichever is the shorter of:

- (a) a period starting 14 days before the first engagement and ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the job on the Certificate of Sponsorship plus 14 days before and after, if the applicant does not have consecutive engagements; or
- (c) 12 months.

CRV 9.2. If the application is for permission to enter, in accordance with CRV 3.2, the applicant will

be granted permission to enter for whichever is the shorter of:

- (a) a period starting up to 14 days before the first engagement and ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the job on the Certificate of Sponsorship plus up to 14 days before and 14 days after, if the applicant does not have consecutive engagements; or
- (c) 3 months.

CRV 9.3. Unless CRV 9.4. applies, if the application is for permission to stay, the applicant will be granted whichever is the shorter of:

- (a) a period ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the job on the Certificate of Sponsorship plus 14 days, if the applicant does not have consecutive engagements; or
- (c) the difference between the period the applicant has already spent in the UK as a Creative Worker and 12 months.

CRV 9.4. If the applicant is applying for permission to stay and the sponsor is the same sponsor as in the application which led to the applicant's last grant of permission, the applicant will be granted whichever is the shorter of:

- (a) a period ending 14 days after the final engagement, if the applicant has consecutive engagements; or
- (b) the period of the job on the Certificate of Sponsorship plus 14 days, if the applicant does not have consecutive engagements; or
- (c) 12 months; or
- (d) the difference between the period the applicant has already spent in the UK as a Creative Worker and 24 months.

## Conditions of grant for a Creative Worker

## CRV 9.5. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work is permitted only in the role(s) the applicant is being sponsored for; and
- (c) supplementary employment is permitted; and
- (d) study is permitted, subject to the ATAS condition in Appendix ATAS.
- (e) DELETED.

## Dependants of a Creative Worker

### Validity requirements for a dependent partner or dependent child of a Creative Worker

CRV 10.1. A person applying for entry clearance or permission to stay as a dependent partner or dependent child of a Creative Worker must apply online on the gov.uk website on the specified form as follows:

Applicant	Specified form
EEA national with a chipped passport	<p>Either (as applicable):</p> <ul style="list-style-type: none"> <li>• Dependant partner or dependant child using the UK Immigration: ID Check app; or</li> <li>• the forms listed below for dependant applicants outside or inside the UK as relevant.</li> </ul>
Applicants outside the UK	<p>Dependant partner visa Dependant child visa</p>
Applicants inside the UK	<p>If the dependant is applying at the same time as the Creative Worker, they can be included in the form Temporary Worker where the form allows dependants to be added. Otherwise:</p> <ul style="list-style-type: none"> <li>- Dependant partner</li> <li>- Dependant child</li> </ul>



CRV 10.2. An application for entry clearance or permission to stay as a partner or child of a Creative Worker must meet all the following requirements:

- (a) any fee and Immigration Health Charge must have been paid; and
- (b) the applicant must have provided biometrics when required; and
- (c) the applicant must have provided a passport or other travel document which satisfactorily establishes their identity and nationality; and
- (d) the applicant must be applying as a partner or child of person who:
  - (i) has made a valid application for entry clearance or permission to stay on the Creative Worker route that has not been decided; or
  - (ii) has entry clearance or permission to stay on the Creative Worker route.



CRV 10.3. An applicant applying as a dependent partner must be aged 18 or over on the date of application.

CRV 10.4. If applying for permission to stay, the applicant must be in the UK on the date of application.

CRV 10.4ZA. If applying for permission to stay, the applicant must not have, or have last been granted, permission:

- (a) as a Visitor; or
- (b) as a Short-term Student; or
- (c) as a Parent of a Child Student; or
- (d) as a Seasonal Worker; or
- (e) as a Domestic Worker in a Private Household; or
- (f) outside the Immigration Rules.

CRV 10.4A. An applicant who is applying for permission to stay and has, or last had, permission as a Student, must fulfil one of the Conditions A or B below on the date of application:

(a) Condition A: the applicant must have completed the course of study for which the Confirmation of Acceptance for Studies was assigned (or a course to which ST 27.3 of Appendix Student applies); or

(b) Condition B: the applicant must:

- (i) be studying a full-time course of study leading to the award of a PhD with a higher education provider which has a track record of compliance; and
- (ii) have completed at least 24 months of study on that course.

CRV 10.5. An application which does not meet all the validity requirements for a partner or child of a Creative Worker may be rejected as invalid and not considered.



## **Suitability requirements for a dependent partner or dependent child of a Creative Worker**

CRV 11.1. The applicant must not fall for refusal under Part 9: grounds for refusal.

CRV 11.2. If applying for permission to stay the applicant must not be:

- (a) in breach of immigration laws, except that where paragraph 39E applies, that period of overstaying will be disregarded; or
- (b) on immigration bail.

## **Eligibility requirements for a dependent partner or dependent child of a Creative Worker**

### **Entry requirement for a dependent partner or dependent child of a Creative Worker**

CRV 12.1. A person seeking to come to the UK as a dependent partner or dependent child of a Creative Worker must apply for and obtain entry clearance as a dependent partner or dependent child of a Creative Worker before they arrive in the UK, unless CRV 12.2. applies.

CRV 12.2. A person arriving in the UK and seeking entry as a dependent partner or dependent child of a Creative Worker who does not have a valid entry clearance may be granted permission to enter if the following requirements are met:

- (a) the applicant is not a visa national; and
- (aa) the applicant has obtained an Electronic Travel Authorisation; and
- (b) the applicant is seeking entry at the same time as the person they are a dependant of, and who meets the requirements at CRV 3.2.; and
- (c) the applicant meets the requirements to be granted permission as a dependent partner or dependent child of a Creative Worker.



CRV 12.3. A person applying for entry clearance as the partner or child of a Creative Worker must, if Appendix Tuberculosis applies, provide a valid medical certificate confirming that they have undergone screening for active pulmonary tuberculosis and that this tuberculosis is not present in them.

### **Relationship requirement for a dependent partner of a Creative Worker**

CRV 13.1. The applicant must be the partner of a person (P) where one of the following applies:

- (a) P has permission on the Creative Worker route; or
- (b) P is, at the same time, applying for (and is granted) entry clearance or permission on the Creative Worker route.

CRV 13.2. The requirements of Appendix Relationship with Partner must be met.

CRV 13.3. DELETED.

CRV 13.4. DELETED.

### **Relationship requirement for a dependent child of a Creative Worker**

CRV 14.1. DELETED.

CRV 14.2. DELETED.

CRV 14.3. DELETED.

## **Care requirement for a dependent child of a Creative Worker**

CRV 15.1. DELETED.

## **Age requirement for a dependent child of a Creative Worker**

CRV 16.1. DELETED.

CRV 16.2. DELETED.



## **Requirements for a dependent child of a Creative Worker**

CRV 16A.1. The applicant must meet the following requirements for a dependent child in Appendix Children:

- (a) relationship requirement: entry clearance and permission to stay; and
- (b) care requirement; and
- (c) age and independent life requirement.

## **Financial requirement for a dependent partner or dependent child of a Creative Worker**

CRV 17.1. If the applicant is applying for permission to stay and has been living in the UK with permission for 12 months or longer on the date of application, they will meet the financial requirement and do not need to show funds.

CRV 17.2. If the applicant is applying for entry clearance or permission to enter, or has been in the UK for less than 12 months on the date of application, either:

- (a) funds of at least the amount required in CRV 17.3. must be held collectively by one or more of the following:

- (i) the applicant; and

- (ii) the Creative Worker (P); and
  - (iii) if the applicant is applying as a dependent child, their parent who is lawfully present in the UK or being granted entry clearance, or permission, at the same time; or
- (b) the Creative Worker's A-rated sponsor must certify that they will, if necessary, maintain and accommodate the dependent partner and/or any dependent child as well as the Creative Worker, up to the end of the first month of each of their grants of permission, to at least the amounts required in CRV 17.3.

CRV 17.3. The funds required are:

- (a) £285 for a partner in the UK, or applying for entry clearance or permission to enter; and
- (b) £315 for the first dependent child in the UK, or applying for entry clearance or permission to enter; and
- (c) £200 for any other dependent child in the UK, or applying for entry clearance or permission to enter.

CRV 17.4. If CRV 17.2.(a) applies, the funds held for the applicant must be held in addition to any funds required for the Creative Worker to meet the financial requirement and any other dependants in the UK or applying at the same time.

CRV 17.5. If CRV 17.2.(a) applies, the funds must have been held for a 28-day period and as specified in Appendix Finance.

## **Decision on an application as a dependent partner or dependent child of a Creative Worker**

CRV 18.1. If the decision maker is satisfied that all the suitability and eligibility requirements for a dependent partner or dependent child of a Creative Worker are met, the application will be granted, otherwise the application will be refused.

CRV 18.2. If the application is refused, the person can apply for an Administrative Review under Appendix AR: Administrative Review.

## Period of grant for a dependent partner or dependent child of a Creative Worker

CRV 19.1. A partner will be granted permission which ends on the same date as their partner's permission as a Creative Worker.

CRV 19.2. A child will be granted permission which ends on the same date as whichever of their parents' permission ends first.

## Conditions of grant for a dependent partner or dependent child of a Creative Worker

CRV 19.3. The grant will be subject to all the following conditions:

- (a) no access to public funds; and
- (b) work (including self-employment and voluntary work) is permitted, except as a professional sportsperson (including as a sports coach); and
- (c) study is permitted, subject to the ATAS condition in Appendix ATAS if the applicant is over the age of 18.
- (d) DELETED.



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