Tier 4 students – Guidance following change to the definition of a professional sportsperson

Definition of a professional sportsperson (including sports coach)

Students studying in the UK on a Tier 4 (General) visa are restricted in the types of work they can undertake in the UK for the whole duration of their visa including as a professional sportsperson / sports coach. On 10th January 2019, the Home Office amended their definition of who is considered to be a professional sportsperson. The new definition is as follows:

You cannot be employed as a professional sportsperson (including a sports coach) under Tier 4. You are considered to be a professional sportsperson whether you are paid or not and where you:

- are currently providing services as a sportsperson, playing or coaching in any capacity, at a professional or semi-professional level of sport;
- are currently receiving payment, including payment in kind, for playing or coaching that is covering all, or the majority of, your costs for travelling to, and living in the UK, or you have done so within the previous four years;
- are currently registered to a professional or semi-professional sports team, who have been so registered within the previous four years. This includes all academy and development team age groups;
- have represented your nation or national team within the previous two years, including all youth and development age groups from under 17’s upwards;
- have represented your state or regional team within the previous two years, including all youth and development age groups from under 17’s upwards;
- have an established international reputation in your chosen field of sport;
- engage an agent or representative, with the aim of finding opportunities as a sportsperson, and/or developing a current or future career as a sportsperson, or have engaged such an agent in the last 12 months;
- are providing services as a sportsperson or coach at any level of sport, unless they are doing so as an “Amateur” in a charity event.”

Taken from paragraph 320 of the Tier 4 Policy Guidance -
https://www.gov.uk/government/publications/guidance-on-application-for-uk-visa-as-tier-4-student
International Student Information

What does the change to the definition of a professional sportsperson mean for those studying with a Tier 4 visa?

Where a Tier 4 student undertakes any work which is not allowed for their visa type such as the activities outlined in the new sportsperson definition, they will be considered to be in breach of their visa conditions. This is a criminal offence and can have very serious consequences to a Tier 4 student’s immigration status in the UK and to the University’s Tier 4 sponsor license. It is therefore very important that if you are not sure whether you are allowed to undertake specific sporting activities that you check with the sport organisation concerned and/or the University before taking part.

Clarification to the types of sporting activities that are permitted or restricted

Many organisations including British Universities and Colleges Sport (BUCS), Universities UK (UUK) and UK Council for International Student Affairs (UKCISA) have raised their concerns with the Home Office that the new professional sportsperson definition significantly restricts the activities that Tier 4 students can take part in while studying and have asked them to provide additional clarity of the type of activity which is permitted. The Home Office have recently confirmed that the following applies to ALL Tier 4 students regardless of when you applied for your visa.

- Tier 4 visa holders are able to undertake sport related courses. There is still concern however and a lack of clarity on whether the new regulations allow for Tier 4 students to undertake a work placement as a coach. Further clarity has been requested by the Home Office and updated information is awaited. Tier 4 students are advised not to undertake any work placement at the current time until further confirmation has been received from the Home Office that this is permitted.

- Tier 4 visa holders are able to play for University sports teams in British Universities and Colleges Sport (BUCS) competitions. This would not be considered a breach of visa conditions as it would be considered as playing at an amateur level.

- Tier 4 visa holders are not able to undertake any form of coaching role for their university teams whether paid or unpaid.

- Tier 4 visa holders are not able to undertake any form of coaching role for local sports teams or clubs, or Schools or College through any sort of outreach programme.

- Students are not able to complete in events outside of BUCS, i.e. in regional, national or international leagues.

- Students are not able to register as, or fill in as, a referee, umpire or judge at a sporting event.
What is being done?

- The Home Office have confirmed that they are looking at the professional sportsperson definition again in light of the concerns and comments received and it is hoped that the definition will be changed in the near future.

- Universities across the UK in collaboration with BUCS, UUK, UKCISA, Sport and Recreation Alliance amongst many others are lobbying for an exemption for Tier 4 visa holders which will allow them the same access to sporting opportunities (playing, coaching and officiating) as UK students.

- The University of Essex is contacting all Tier 4 students, especially those on sport-related courses and those in receipt of a sports scholarship, to make sure they are aware of this recent change of the definition in order that they do not breach the conditions of their leave.

- The University will continue to update Tier 4 students in light of any further clarity that is received from the Home Office.

Further advice

Please be aware that this information sheet contains all the information we have about the new definition of professional sportsperson/sports coach.

See our website for guidance about working during your studies: [https://www1.essex.ac.uk/immigration/living/work_int.aspx](https://www1.essex.ac.uk/immigration/living/work_int.aspx) and complete our online enquiry form if you need further information or advice.

You may also wish to review the information published by UKCISA: [https://www.ukcisa.org.uk/Information--Advice/Working/What-kind-of-work-can-you-do?q=sportsperson&ExactMatch=#layer-3792](https://www.ukcisa.org.uk/Information--Advice/Working/What-kind-of-work-can-you-do?q=sportsperson&ExactMatch=#layer-3792) and can contact their student advice line if you need to: [https://www.ukcisa.org.uk/About-UKCISA/Contact-us](https://www.ukcisa.org.uk/About-UKCISA/Contact-us).