



# Auto-Cycle Union Governing Body Endorsement Requirements

## **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 the endorsement requirements a sport governing body has agreed UK sponsors of Tier 2 (Sportsperson) and/or Tier 5 (Temporary Worker) Creative and Sporting categories of the points-based system, must show.

**The Tier 2 (Sportsperson) category** is for elite sportspeople and coaches 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.

**The Tier 5 (Temporary Worker) - Creative and Sporting category** is for sportspeople (and their entourage where appropriate) and coaches 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.

**Sport governing body** is one recognised by one of the home country sports councils, such as Sport England. Every governing body must be approved by the Home Office before they are included in [Appendix M](#) of the Immigration Rules.

**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 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 governing body for their sport before you assign the certificate of sponsorship.



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The list of governing bodies and the tiers for which they are currently approved by the Home Office is 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 [GOV.UK](#).

### 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
<b>Sponsor</b>	Tier 2 (Sportsperson) and/or Tier 5 (Temporary Worker) Creative and Sporting	4 years from date of issue.
<b>Migrant</b>	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.
<b>Migrant</b>	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 certificate of sponsorship 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.



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### **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.



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## Section 2: Requirements

This page explains the Auto-Cycle Union Ltd (ACU) requirements under the Tier 2 (Sportsperson) and Tier 5 (Temporary Worker) Creative and Sporting categories. This criteria is effective from 5 November 2019.

### Consultation

The following requirements have been agreed by the Home Office following consultation with the ACU following consultation with motor clubs affiliated to the ACU and sponsors. The requirements are only applicable to Great Britain.

### Review

The requirements will be reviewed annually, the next review will be November 2020.

### 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>  <b>Tier 2 (Sportsperson) and or Tier 5 (Temporary Worker) Creative and Sporting</b>	Governing body endorsements will be typically, but not limited to, a Manufacturer, Team or Championship Organiser. They must be known to the Auto Cycling Union, and be currently trading in motor sport or the motor sport industry.	
<b>Migrant</b>  <b>Tier 2 (Sportsperson) and Tier 5 (Temporary Worker) Creative and Sporting</b>	Competitor/Non Competitor roles	<ul style="list-style-type: none"> <li>Individuals must be able to evidence previous and appropriate motor sport competition experience, typically, but not limited to, the holding of a competition licence issued by the ACU or by a Federation Motorcycling Authority (FMN) as recognised by the</li> </ul>



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		<p>Federation Internationale de Motocyclisme (FIM) as the World Governing Body for motorcycle sport.</p> <ul style="list-style-type: none"> <li>• If appropriate, individuals must be able to satisfy current ACU licencing requirements in order to gain a motor sport competition licence at the appropriate level to compete in the UK, or be an existing FIM recognised International Grade licence holder in a country whose recognised National Federation is able to validate accuracy and correctness of the details provided.</li> <li>• The individual's sponsor must be able to supply a copy of the proposed contract for scrutiny. In the case of non-competitor appointments, the scrutiny of the proposed contract, together with evidence provided to demonstrate previous and appropriate motorcycle sport competition experience in the individual's specialist field (e.g. team managers, technicians etc) is key to an application being considered for endorsement.</li> <li>• The individual's sponsor is required to evidence the training, experience and skill set of the applicant in relation to the specific appointment and to provide reasonable assurance that the appointment is unlikely to displace local labour.</li> </ul> <p><b>Injuries and Suspensions</b></p> <p>Races for which the individual was unavailable for selection are to be excluded</p>
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		<p>when calculating the individuals appearance percentage. Unavailable for selection means the individuals was not available to race due to injury or suspension and written evidence supporting this, setting out the events missed and the reason(s), must be provided by the individuals National Association or club doctor to the Auto-Cycle Union for consideration. (Consideration will be given to injury, maternity or paternity leave and any other legitimate medical reasons).</p> <p>In order to obtain the governing body endorsement, the individual must not be subject to a provisional suspension or any unexpired period of ineligibility from playing and/or coaching activities in any jurisdiction as a result of being charged with or found guilty of a corruption offence and/or a doping offence and/or another misconduct offence.</p>
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### Further information

This information is available on the ACU website at [www.acu.org](http://www.acu.org)

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

Neil Doctor  
General Secretary  
ACU House  
Wood Street  
Rugby  
Warks CV21 2YX.

Telephone: +44 (0)1788 566434  
Email: [neil@acu.org.uk](mailto:neil@acu.org.uk)

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



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## **Dispute handling procedures**

Where an application for either a racer to race in a team or a coach to coach a team in one of the leagues covered by the requirements for a governing body endorsement as set out for Tier 2 (Sportsperson) & Tier 5 (Temporary Worker-Creative and Sporting) has been refused on the grounds that the racer or coach fails to meet the published requirements, the sponsor may seek a review of the application. The sponsor will have 28 days to request such a review. In these cases, the Auto Cycle Union will refer the sponsor's evidence to an independent panel as set out below.

Where possible the sponsor's supporting evidence will be sent to the panel in advance for their consideration in order to allow an informed decision.

Sponsors should note that, in respect of any application, there will only be one panel available and the decision of the panel is final. Sponsors should therefore ensure that all evidence it wishes to present in support of its application is presented to the panel. If the sponsor has previously made an application that was unsuccessful at panel a further panel cannot be requested for the same player during the season unless his status changes and he meets the requirements whereby a new application can be submitted.

### **a. The Review**

The request for a review may only be made by the sponsor for whom the governing body endorsement has been initially rejected by the Auto Cycle Union.

A review shall be commenced by the appellant lodging with the Auto Cycle Union and Governance Director, a notice of appeal within 28 days of the decision appealed against. The notice of appeal shall:

- i. set out details of the decision appealed against and, if the whole of the decision is not appealed against, identify that part of it which is appealed against;
- ii. set out in full the grounds of appeal and an appellant shall not be entitled to rely in any ground of appeal not set out in the notice of appeal; and



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- iii. be accompanied by a deposit of £500.00. The panel shall have discretion as to whether the deposit is returned.

The procedure for appeal will be in accordance with the Disciplinary Regulations and the Panel shall be comprised as detailed below.

### **b. The Panel**

The panel will be appointed by the Disciplinary Hearings Manager. The appointed panel shall consist of: an independent chairman, one representative of the Auto Cycle Union (who has not been involved in the initial decision) and one representative of The Panel of Adjudicators.

### **c. Power of the Panel**

An endorsement request may be refused if the individual does not meet the relevant criteria set out in this document or fails to provide the mandatory documents. The Auto Cycle Union will notify an individual in writing of any endorsement request which is refused setting out the reasons for refusal.

An individual shall have 7 days from the date of the written refusal to submit an appeal in writing to the Auto Cycle Union. An individual may only appeal on the basis that the Auto Cycle Union have not applied the endorsement criteria correctly.

The Auto Cycle Union shall consider the appeal and any evidence submitted in support and shall, within 7 working days of the receipt of the appeal, notify the individual of its decision.

### **d. The Decision**

The panel will make a decision using the above criteria which shall be final and binding. There are no other grounds of appeal.





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

How to apply for governing body endorsements for Tier 2 (Sportsperson) and Tier 5 (Temporary Worker) Creative and Sporting sponsor applications

To cover the cost of processing an application, including verification of qualifications and evaluation of international coaching experience, there will be a charge of £100 + VAT per endorsement application, payable by the club at time of application.