

A close-up photograph of a hand holding a string of small, round, metallic beads. The background is filled with many more such beads, creating a dense, textured pattern. The lighting is bright, highlighting the metallic sheen of the beads.

Nail to Nail

Presenting International Visual Arts
A Guide for Curators in the UK

Visiting Arts

Visiting Arts is the national agency for promoting the flow of international arts into the UK and developing related cultural links abroad to help build cultural awareness, positive cultural relations and fostering mutually beneficial arts contacts at national, regional, local and institutional levels.

Visiting Arts' activities include advice, information, training, consultancy, publications, special projects and project development and cover the performing arts, visual, media and applied arts, crafts, design, literature, film, architecture and some museum activity.

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Cover Credit:

Detail of *Aura Beyond* by Howard Chen. This work was shown in *Dream 02*, an exhibition organised by The Red Mansion Foundation and supported by Visiting Arts in 2002.

The Red Mansion Foundation
www.redmansionfoundation.org



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Introduction

The aim of this publication is to provide practical guidelines for UK-based visual arts curators and exhibition organisers who are planning to exhibit international work, or to invite artists for residencies in the UK. It is intended to help curators who may have limited and/or no experience of programming international work, but who are interested in the opportunity of working with overseas artists.

Nail to Nail is a signpost guide that provides information on the legal formalities and general arrangements that are necessary for inviting overseas artists to the UK including: work permits, visas, police registration and tax advice. It also highlights further sources of information that cannot be covered in this publication which are available from government bodies, arts organisations and related web sites.

In addition advice is given on the practical considerations that are necessary for organising temporary art exhibitions in the UK: fine art shipping, customs regulations, ATA carnets, exhibition display and interpretation issues, insurance and artists' fees.

Visiting Arts hope that by providing curators with the practical advice needed to plan and organise a successful exhibition of work by overseas artists, it will help to encourage and foster closer working collaborations between international artists and British galleries and arts venues in the future.

The information in Nail to Nail was compiled from published and online resources which were correct at time of printing, however it is not intended to replace the official information and guidelines that is provided by public and government bodies. In all cases it is strongly recommended that you check with the relevant agency for full information and answers to specific queries.

Visiting Arts regularly contacts the government and policy bodies dealing with documentation and procedures highlighted in this publication. We would welcome any comments related to the practical procedures and systems involved with bringing overseas arts and artists to the UK.

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1. Contracts and Employment – The Legal Aspects

A key consideration when employing overseas artists in the UK is their employment status which has implications on work permit, contract and tax issues. Important factors affecting a visiting artist's status and work permit application are the terms and conditions offered by the host and accepted by the artist. A contract or a written agreement represents the legal relationship between employer and employee and it is essential to be aware of this and, if necessary, to seek legal advice when planning the visit of an overseas artist.

People can be employed on a 'contract of service', 'contract for services' or, in some cases, on no contract at all. A contract is established when an employer and employee agree the terms and conditions of employment. Although a contract can take the form of a written or verbal agreement, it is regarded as good practice for an employer to provide a written contract or letter of agreement.

An 'employee' and a 'contractor' have different statutory rights and there are different liabilities for the employer. It is equally important to clarify a person's status either as a 'self-employed', 'freelance' or 'consultant' in a contract or written agreement.

In brief:

An **employee** is an individual who enters into, or works under, a **contract of employment**. A contract of employment is defined as a **contract of service**. (The Employment Protection (Consolidation) Act of 1978). Employees have statutory employment, pay, discrimination, health & safety and trade union rights, and employers are expected to:

- Pay a salary
- Provide work
- Operate PAYE (if applicable) for tax and National Insurance
- Provide a safe system, place of work, materials and equipment as necessary
- Pay any expenses incurred by the employee when carrying out the job
- Maintain a relationship of trust and confidence with the employee

A **contractor** is taken on to complete a piece of work which produces a result, and has a **contract for services**. This includes individuals undertaking work on a self-employed, freelance or other basis. Statutory laws related to contractors vary significantly from those of employees and are governed by contract law. Examples include:

- Contractors have no employment rights (except race, sex and disability discrimination rights).
- Contractors are responsible for handling their own PAYE and National Insurance payments.
- Contractors are responsible for ensuring safe use of work materials, conditions and systems.
- Employers must insure against negligent claims from employees but not against claims from contractors.
- Employers are usually liable for employees' acts in the workplace but are not generally liable for those of contractors.
- Employers owe a higher 'duty of care' to employees than to contractors

Employment terms, conditions and contractual obligations related to visiting artists depend on individual circumstances, and it is not possible to provide a fully comprehensive guide in this publication. **It is highly recommended that you consider the employment conditions of an artist in advance and, if necessary, seek legal advice.**

See *Further Information and Contacts* on page 11.

2. Artist's Contract or Written Agreement

It is advisable to draw up a contract or written agreement with the artist at the start of a project, to establish your respective role. This can avoid confusion for who has final responsibility for each aspect of the exhibition. The following details (and any other relevant information), should be put in writing, signed by both parties and copies kept by each. If it is more convenient, the artist can sign their copy after they have arrived in the UK, but you should ensure they have seen and agreed the terms before arriving. See the notes on 'Contracts and Employment' on page 4.

A Contract can Include:

- Name of the artist.
- Name of the exhibition curator and the host organisation or gallery.
- The nature of work/participation of the artist.
- Agreed fees paid to the artist and the basis of paying (hourly/weekly).
- If the artist is being paid expenses only, these should be clearly stated and the total limit for e.g. travel, per diems, accommodation, food. Is VAT included? Do they keep receipts?
- Title, themes and/or the purpose of the exhibition.
- Exhibition venue(s).
- Start and finish dates of exhibition.
- Any damages if a commission or piece of work is not completed within a set time.
- Titles, descriptions, media, dimensions and prices of the works to be exhibited.
- Exhibition dates, including anticipated tour dates.
- The curator's sales commission (excl. VAT) if the works are to be sold.
- Responsibilities of the curator and the artist.

An Artist's Responsibilities can Include:

- Packing, shipping and delivery of art works to an agreed location for collection.
- Organising their own personal travel, medical and/or art insurance.
- Framing and installation and of art works at the venue and dismantling at the end.
- Supplying and permitting the use of photographic images of their work for promotional purposes.
- Agreement to participate in related educational/promotional activities organised by the venue.

A Curator's Responsibilities can Include:

- Packing, shipping and delivery of art works to and from the UK or to another venue.
- Organising and/or paying for work permits and visas.
- Organising transport and booking accommodation for the artist.
- Paying artists' fees, per diems, transport, accommodation and subsistence costs.
- Exhibition installation and dismantling.
- Publicity and marketing.
- Production of exhibition literature, catalogue and labels.

These are suggestions only, and there are likely to be other details to consider.

The Voluntary Sector Legal Handbook by Sandy Adirondack and James Sinclair Taylor (published by The Directory of Social Change) provides detailed information and other considerations for drawing up a contract.

A-N Artists Information Company has comprehensive advice on all aspects of artists' contracts: see http://www.anweb.co.uk/1_04_d3/d3a04.htm for details.

3. Work Permits

A Work Permit is an arrangement which allows British employers to employ or train people who are not nationals of an European Economic Area (EEA) country, and who are not normally entitled to work in the UK. Work Permits UK (WPUK) is part of the Home Office's Immigration and Nationality Directorate (IND) which administers work permit arrangements on behalf of the British government.

Work Permits are NOT required for:

- EEA nationals from: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden and the United Kingdom;
- Citizens of Switzerland;
- British Overseas Territories Citizens (these are: Anguilla, Bermuda, British Antarctic Territory, British Virgin Islands, British Indian Ocean Islands, Cayman Islands, Falkland Islands and dependencies, Gibraltar, Monserrat, Pitcairn Islands, Sovereign Base Areas in Cyprus, St. Helena and Dependencies and Turks and Caicos Islands) except those from Sovereign Base Areas in Cyprus which **do** require a work permit;
- Commonwealth citizens who were allowed to enter or remain in the UK on the basis that a grandparent was born in the UK;
- People who do not have any conditions attached to their stay in the UK;
- Spouses and dependent children under 18 of people who hold work permits, or who qualify under any of the above categories; or who qualify under a number of further categories listed in 'General Information' Notes at <http://www.workpermits.gov.uk/default.asp?Pageld=1731>

Examples which can Apply to Visiting Visual Artists are:

- Artists participating in certain festivals
- Artists participating in non-profit-making charity events or international competitions which are non fee-paying (except travel and accommodation costs).

Residencies

In general artists' residencies are regarded as cultural exchange projects to which international artists are invited to participate by UK galleries or organisations. The principal aims of a residency are concerned with developing an artist's practice and professional development, introducing different studio environments, and allowing collaboration in educational activities. In these instances, it may not be necessary for the UK host to apply for a work permit for an artist, as long as it is clearly demonstrated that the artist is not being reimbursed with any form of fee or payment.

If you are inviting an artist to a residency, there are two steps that are highly advisable to take:

- Send a written invitation to the artist in which you set out the time period of the residency, and full details of the relevant travel, accommodation and studio arrangements that you are providing. You should indicate the sources of funding which have been confirmed for the project, and clearly demonstrate that the artist is not gaining financially in any way from the residency.
- If the artist requires a visa or entry clearance to visit the UK, make sure they are aware that they must obtain an artist's visa from the British embassy, consulate or mission in their home country, before travelling to the UK. (See pages 13-15). For artists who are non-visa nationals, and who intend to visit for a residency, it is advisable that they check with the British embassy or consulate for any other evidence or paperwork that they may be required to show at UK Immigration. It is also advisable that the artist brings a copy of

your invitation letter (as above) with them when they arrive, as a form of evidence that can support their entry.

In all cases it is highly recommended that both the artist and the host check with the relevant authorities (embassy/consulate/UK mission, www.ukvisas.gov.uk, the Work Permit Unit) before a visit, to ensure that the artist has the necessary paperwork required for their visit.

Who can Apply?

WPUK handle applications from employers based in England, Scotland or Wales and from employers who wish to train a person from a non-EEA country to work in the UK.

Employers based in Northern Ireland, Jersey, the Channel Islands or the Isle of Man, have separate work permit arrangements. See contact details at <http://www.workpermits.gov.uk/default.asp?PageId=1733>.

A person from a non-EEA country who is subject to immigration control will most probably require a work permit. It is advisable to check with the IND if you are unsure of a person's eligibility.

See contact information for the IND on page 11.

Who Cannot Apply?

- Individuals on their own behalf;
- Overseas companies, unless they have a UK presence (e.g. a branch office);
- Recruitment and employment agencies and other similar businesses.

Other Important Notes

Work permits must be obtained by an employer **before** the artist enters the UK.

When visiting the UK, the artist requires a work permit and a visa (if appropriate), which is stamped by UK Immigration. Work permits are essential either for the artist to obtain an entry visa to enter the UK or for an exit visa for them to leave their home country. It is essential that the British employer who applies for a work permit allows sufficient time for the full application process.

If a person moves to a different employer or organisation while in the UK, the current employer has an obligation to advise WPUK of this.

N.B. The issue of a work permit does NOT guarantee entry into the UK or that a visa (if required) will be issued. See further information in the 'Visa' section on page 13.

Application for Sportspeople and Entertainers' Work Permits – Notes for Employers

There are four categories of work permits: Business and Commercial; Training and Work Experience; Internships; and Sportspeople and Entertainers (S & E).

S & E work permits allow employers to recruit established entertainers and cultural artists and some technical/support people from outside the EEA.

Cultural Artists are defined by WPUK as:

People who are skilled in foreign arts that are rare or unavailable in this country and can make a contribution to the arts, cultural relations and cultural awareness.

When to Apply?

Applications should be made once you have found the artist, but no more than six months before you want to bring them to the UK.

You cannot apply for a work permit if you have not confirmed the employment of an artist.

How to Apply

1. Applications for first, multiple entry or change of employment work permits, must be made with **Form WP3**. Forms and guidance notes can be downloaded from <http://www.workpermit.gov.uk>.
Send hard copy applications to the Sportspeople & Entertainers Unit; or
Email applications to office.forms@ind.homeoffice.gsi.gov.uk

N.B The postal and email forms differ from each other – make sure you use the appropriate one as WPUK do not accept postal forms by email or vice versa.
2. WPUK encourage employers to utilise the on-line application process to speed up the application and decision
3. Applications by fax are not accepted, unless WPUK agree in advance if there is insufficient time for a postal application to be sent.
4. Applications must be made for a named person (i.e. the artist) to do a specific job. Work permits cannot be transferred to a different job or employer.
5. Application assessments are made from the information that you give in the application, so it is essential that you read and understand the guidelines and criteria before applying. If necessary seek advice from WPUK.
6. You must be an established employer in the UK and a named representative must be provided on the application. Businesses must demonstrate an 'established trading presence, and their ability to manage the person's employment in the UK.

WPUK will check that contractual details are bona fide i.e. adherence to the Minimum Wage and Working Time regulations; and that fees are commensurate to those paid to equivalent British employees. Public galleries or exhibition spaces that have little or no commercial activity can submit examples of official printed gallery publicity, exhibition catalogues or leaflets as proof of their established employer status.

To Include with the Application:

1. Proof of UK employer's business: or if not available, other documents that clearly indicate that they are a British-based employer.
See the notes at <http://www.workpermits.gov.uk/default.asp?PagelD=1588>;
2. A copy of the contract or similar agreement, outlining terms and conditions, signed by both parties. Working conditions must at least match those normally given to a UK employee i.e. meet the National Minimum Wage and Working Time Regulations;
3. A copy of the confirmation/agreement letter of an offer of employment in the UK.

If you are unable to provide any of the above information speak to the Sportspeople and Entertainers Team to agree exceptionally what other information may be accepted.

Required Evidence of an Artist's Reputation

Recent publicity material with clearly identified sources, with certified English translations if necessary. Material can be scanned as attachments to an emailed application form – but WPUK may request to see original material;

If the application is for a group of artists working together, the status of each person must be clearly identified on publicity material. Exhibition catalogues, posters, reviews, exhibition preview invites are acceptable forms of proof;

Solely biographical press articles about the artist(s) are not acceptable.

Additional Forms of Evidence – if none of the above are available

A letter of verification from the home country's Ministry of Culture or equivalent cultural department;

If agreed by WPUK, the artist must attend an interview with their nearest British Embassy, High Commission or Consulate.

Recruitment Process

Work permits are issued to artists and technical or support people, 'whose employment will not displace or exclude resident workers'. Normally, a recruitment search has to be carried out to ensure that a post has been appropriately advertised within the EEA. However this recruitment search to find a 'resident worker' is not applicable when working with cultural artists.

It is highly recommended that you provide as much supplementary evidence from independent sources to support your proposal for bringing an artist to the UK. This could include explain how an artist's work is beneficial to British audiences by broadening exposure to new or different types of art forms, media or practice; or making an active contribution to British cultural diversity.

Length of Permits

Permits are issued only to cover the stated period of employment or contracted work up to five years.

Multiple entry permits can be issued for a minimum of six months and a maximum of two years for individuals (min. six months, max. one year for a group).

If you anticipate that an artist may need to extend the period of their visit (e.g. for a touring exhibition), you should indicate this in the first application. Confirmation details of any additional employment must be sent to WPUK as soon as possible.

Completing an Application

It is essential to sign the employer's declaration on the WP3 form (email applications obtain a pin number from WPUK). Unsigned applications are invalid and will delay the timing of an extension application. Make sure that you include all supporting material and documentation as required. Send completed applications to:

Work Permits (UK)
Immigration and Nationality Directorate
Home Office
Level 5, Moorfoot
Sheffield S1 4PQ
Email: office.forms@ind.homeoffice.gsi.gov.uk

After Application

Once a work permit has been agreed, it is sent to the person named on the application. It should then be sent to the artist so that they can present it with their passport (and visa if necessary) at the British port of entry.

WPUK aim to decide 90% of complete applications within one day of receipt.

Charges for Work Permits

From Spring 2003, WPUK plan to charge employers a flat fee c. £75-95, for the consideration and processing of all work permit applications in the UK. (Fee not confirmed at time of publication).

The fee will also be charged for refused, withdrawn or appealed applications. Payment methods will be via invoicing, on-line credit/debit card payments or via signed payment slips with postal applications.

Employers of citizens from the following countries who have signed and ratified the Council of Europe Charter are exempt from charges: The Czech Republic, Hungary, Slovakia, Bulgaria, Estonia, Lithuania, Romania, Slovenia, Poland, Turkey, Cyprus, Latvia, Moldova and Malta.

Further Information and Contacts

Department of Trade and Industry <http://www.dti.gov.uk/er/index.htm>

The DTI site has extensive advice and publications including
Guide to Individual Rights of Employees
Contracts of Employment
Small Firms Awareness and Knowledge of Individual Employment Rights

Working Time Regulations http://www.dti.gov.uk/er/work_time_regs/wtrsi.htm

Tel: H & S Executive Infoline: 020 7215 0445

National Minimum Wage <http://www.dti.gov.uk/er/nmw/gtmw.pdf>

Tel: Helpline 0845 6000678

Health and Safety Executive <http://www.hse.gov.uk/>

Tel: HSE Infoline 08701 545500

Citizens Advice Bureau Advice Guide <http://www.adviceguide.org.uk/>

Regional UK telephone numbers are included on this web site.

Confederation of British Industry <http://www.cbi.org.uk>

Tel: Enquiries 020 7395 8247

British Employment Law <http://www.emplaw.co.uk/>

Provides legal advice and has a regional search function to find solicitors in the UK.

The Voluntary Sector Legal Handbook by Sandy Adirondack & James Sinclair Taylor

Published by The Directory of Social Change, 24 Stephenson Way, London NW1 2DP;

Tel: 020 7209 5151; Email: books@dsc.org.uk; <http://www.dsc.org.uk>

Work Permits (UK) <http://www.workpermits.gov.uk>

Customer Relations:

Tel: 0114 259 4074

Fax: 0114 259 3776

Email: customrel.workpermits@wpuk.gov.uk

Integrated Casework Directorate, North

Home Office, Level 5

Moorfoot

Sheffield S1 4PQ

Immigration and Nationality Directorate (IND) <http://www.ind.homeoffice.gov.uk>

Tel: 0870 606 7766

Fax: 020 8760 3017

Home Office

Integrated Casework Directorate

Lunar House

40 Wellesley Road

Croydon CR9 2BY

4. Residencies

In general artists' residencies are regarded as cultural exchange projects to which international artists are invited to participate by UK galleries or organisations. The principal aims of a residency are concerned with developing an artist's practice and professional development, introducing different studio environments, and allowing collaboration in educational activities. In these instances, it may not be necessary for the UK host to apply for a work permit for an artist, as long as it is clearly demonstrated that the artist is not being reimbursed with any form of fee or payment.

If you are inviting an artist to a residency, there are two steps that are highly advisable to take:

- Send a written invitation to the artist in which you set out the time period of the residency, and full details of the relevant travel, accommodation and studio arrangements that you are providing. You should indicate the sources of funding which have been confirmed for the project, and clearly demonstrate that the artist is not gaining financially in any way from the residency.
- If the artist requires a visa or entry clearance to visit the UK, make sure they are aware that they must obtain an artist's visa from the British embassy, consulate or mission in their home country, before travelling to the UK. (See page 13). For artists who are non-visa nationals, and who intend to visit for a residency, it is advisable that they check with the British embassy or consulate for any other evidence or paperwork that they may be required to show at Immigration on arrival in the UK. It is also advisable that the artist brings a copy of your invitation letter (as above) with them when they arrive, as a form of evidence that can support their entry.

In all cases it is highly recommended that both the artist and the host check with the relevant authorities (embassy/consulate/UK mission, <http://www.ukvisas.gov.uk>, and the Work Permit Unit) before a visit, to ensure that the artist has the necessary paperwork required for their visit.

5. Visas

Non-British/EEA (European Economic Area) nationals require leave to enter the UK and may require entry clearance (a visa) before travelling, depending on the reason for coming to the UK. Certain nationals, known as 'visa nationals', require a visa for all travel to the UK. Visit visas can be applied for at any UK visa issuing post overseas. Applications for other types of entry clearance should be made at the visa office in the country in which the applicant is normally and legally resident. A visa is usually valid for unlimited entries to the UK up to its expiry date.

On arrival in the UK, non-visa nationals will need to satisfy an immigration officer that they qualify for entry under the Immigration Rules, including work permit holders. Those who hold a valid UK visa will not normally experience any difficulties on arrival, providing:

- They have given the Entry Clearance Officer (ECO) all information relevant to their visit to the UK;
- They have not, with or without their knowledge, given false information to support the visa application;
- There has been no change to their circumstances, or reasons for going to the UK, since the visa was issued.

Visa requirements depend on individual circumstances – it is essential to check all requirements before planning a visit.

The UK Visas web site at <http://www.ukvisas.gov.uk> provides details of:

Countries whose citizens require visas
Visa application forms
Guidance notes
Web links to UK overseas missions
A FAQs section
A *Do I Need a UK Visa?* search function

Guidance Notes are also available online for specific circumstances including:

INF1 General Information
INF2 Visitors
INF3 Sponsors
INF13 Work Permits
INF14 Permit Free Employment (relevant for self-employed artists who visit the UK but who can support themselves without working or dependence on public funding).

Diplomatic Service Procedures are the instructions that guide Entry Clearance Officers when handling visa applications and lay out the requirements for each type of visa.

These are available at

<http://www.ukvisas.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1006977150142> – the notes in Chapter 18.9 refer specifically to applications from writers, composers and artists.

Artists are defined as 'painters, sculptors, photographers of international artistic standing and cartoonists and illustrators whose work has been published or exhibited for its artistic merit'. See the above web link for further details.

Prior entry clearance for artists is mandatory and applicants must satisfy the following criteria:

- They must be established outside the UK and primarily engaged in producing original work that has been exhibited for its artistic merit;
- They do not intend to work except as a self-employed artist (work permits are required if they work for a fee);
- They have been able to support and accommodate themselves (and dependants) during the preceding year by their own means other than as an artist;

- They are able to support and accommodate themselves in the UK without reliance on public funds.

Visas Indicate:

- Purpose of travel
- Length of stay in the UK
- The latest date that a person can enter and/or be in the UK

Applying for Visas

Overseas visitors generally have to apply to the ECO at the local British Embassy, Consulate or High Commission (UK Mission) in the country of residence. <http://www.ukvisas.gov.uk> has web links to British offices abroad. With the exception of a visit visa, if they apply from a country where they are not legally resident, their application may not be accepted or the process may be delayed. If they need to travel far to get to their nearest UK Mission it is advisable that they contact them in advance to ensure they bring the necessary documentation. If required to attend an interview, the ECO will notify them, either on the same day or within ten days. This may vary at each Mission.

All applicants must complete an **IM2A** form. In addition, those intending to work in the UK must complete an **IM2C** form. Forms are available from British embassies or from <http://www.ukvisas.gov.uk>.

On receipt of the visa, the artist should check that all personal details, travel and date information are correct. A visa can be post-dated for up to three months.

Artists' Checklist for an IM2A Application:

1. Payment for the correct fee in local currency plus postage if applicable
2. Two recent passport-sized photos (no more than six months old). Some countries require three photos e.g. Nigeria and Nepal
3. A valid passport
4. A valid work permit (if necessary). This must be the original work permit that was sent to the artist from the UK employer/host organisation. A work permit must be obtained BEFORE applying for a visa. It is advisable for employers to send the work permit by registered courier, as lost permits cannot be re-issued
5. Sign and date all forms where indicated
6. Submit any supplementary documents as originals or attested copies e.g. a letter of support from the UK employer outlining terms, conditions and purpose of the visit
7. Apply in good time, normally no more than three months before the planned travel date
8. All individuals intending to travel must complete a separate form, unless they are a dependant under 16 who is on their parent's passport

Additional Checklist for IM2C Application:

1. Full details of employer and/or representative in the UK (e.g. a solicitor)
2. There are other requirements stated on the form for business people, self-employed, innovators – see the relevant Guidance Notes at <http://www.ukvisas.gov.uk>

Entry Clearance Fees

Details of required fees are listed at <http://www.ukvisas.gov.uk> but are payable in local currency. The artist can ask at their local UK Mission for details. Fees that were correct at time of printing:

Work Permit (Six months or under)	£36
Work Permit (Over six months)	£75

Employment (Six months or under)	£36
Employment (Over six months)	£75

Visa Refusal

UK Visas state that 93% of international applicants receive a visa. If refused, a written explanation is given at the time.

In some cases it is possible to appeal – this is explained at the time of refusal and how to appeal. If previously refused a visa, an artist can re-apply at any time, but may be refused again if reasons/circumstances are unchanged.

6. Police Registration

All foreign nationals who visit the UK either for more than six months, or for three months if they arrive for the purpose of employment, are required to register with the police in the local area in which they are based. This is stipulated in UK Immigration rules (Registration with the Police) Regulations, 1972.

Foreign national dependants over 16 years are also required to register with the police.

N.B. Immigration staff have discretionary power to require that foreign visitors to the UK, other than the requirements stated above, must register with the police.

The following guidelines are taken from the Home Office Immigration and Nationality Directorate (IND) web site at <http://www.ind.homeoffice.gov.uk/default.asp?PagelD=2763>. Please refer to this for more detailed information.

Exemptions from Police Registration

- Visitors who are citizens of EEA and Commonwealth countries (including British Dependent Territories).
- Dual nationality visitors who hold a British, EEA or Commonwealth passport.

Registration Procedures

- At point of entry into the UK, a non-EEA or Commonwealth foreign visitor will have their passport endorsed by Immigration staff, that will state any requirement to register with the police.
- Within seven days of their arrival these visitors are required to register at their nearest police station, or if staying in London, to the Overseas Visitors Records Office. Details of other registration locations can be obtained, either from the IND Public Enquiry telephone line 08706 067766 or a local police station.
- Visitors will need to bring their passport and/or travel documents; two passport-sized photographs; any correspondence from the Home Office; and their work permit (if applicable). A fee for police registration is charged which is currently £34. A foreign visitor registered with the police, and who visits the UK again within less than one year of their original visit, is not required to pay this fee again.
- The police will issue the visitor with a registration certificate. If this is lost or stolen, the visitor is required to buy a new one from the police.
- Foreign visitors are required to notify the police if they change address; get married; get a new passport; or if their employment circumstances change. If a visitor is granted an extension to their stay in the UK, they must renew their police registration. There is no fee for doing this.

What Happens if Visitors do not Register?

Failure to register is an offence, and the police have the right to consider prosecution. At point of entry, Immigration officers are required to record the UK address given on a visitor's landing card, and these contact details are forwarded to the police.

What Happens after the Visitor Leaves the UK?

The registration certificate is usually removed by an Immigration officer when a visitor leaves the UK, or occasionally it may be sent to the IND. The certificate is usually kept by the police for two years.

Useful Contacts and Information

The Police Services of the UK has a Regional Index search function to find contact details for regional police authorities in the UK.

<http://www.police.uk>

To register visitors in London contact:

Overseas Visitors Records Office
Brandon House
180 Borough High Street
London SE1 1LH

Tel Information Line: 020 7230 1208

Open between 9am and 4.30pm, Monday to Friday.
Closed Bank Holidays, public holidays and weekends.

The Immigration Advisory Service

A charity which provides a free legal advice and representation service.

Head Office Address:

County House
190 Great Dover Street
London
SE1 4YB

Tel: 020 7967 1200
Fax: 020 7378 0665
Email: advice@iasuk.org

Telephone numbers for regional IAS offices are listed under 'Contacts' at:
<http://www.iasuk.org>

7. Tax

As a rule, the UK charges tax on income originating in the UK, and tax liability is based upon a person's status either as a 'resident' or a 'short term visitor'.

The amount of tax charged depends on whether a person is a resident and/or ordinarily resident in the UK, and occasionally on their place of permanent residence ('domicile').

The Inland Revenue web site at <http://www.inlandrevenue.gov.uk> has comprehensive information in Form IR20 *Residents and Non-residents: Liability to tax in the UK*. This can be downloaded from <http://www.inlandrevenue.gov.uk/pdfs/fir20.htm> or obtained from your local tax office.

Resident

Specific regulations govern resident status. People are regarded as residents in a tax year if:

- They are in the UK for 183 days or more in a tax year
- They visit the UK regularly and after four tax years their visits during those years average 91 days or more a tax year (see the exact conditions in Form IR20)

Short Term Visitor

A 'Short term visitor' is recognised as a person who visits the UK for only limited periods in one or more tax years, without any intention to remain for an extended period of time.

Non-UK Residents are eligible for tax relief if they are:

- A Commonwealth citizen;
- A citizen of a state within the EEA (see list of countries in IR20);
- A resident of The Channel Islands or The Isle of Man;
- A former UK resident who lives abroad for health reasons;
- A national and/or resident of a country with which the UK has a double taxation agreement that allows such a claim (see IR20);
- Any other conditions as outlined in IR20.

Tax Allowances are also made for:

- People who leave or arrive in the UK part way through the tax year;
- People who are resident of a country with which the UK has a double taxation agreement (see full conditions in IR20, including a list of Britain's double taxation agreements with other countries – N.B there are special notes relevant for Russia and Yugoslavia);
- Under many double taxation agreements visitors may be able to claim exemption from UK tax on earnings from an employment; and profits or earnings for independent, personal or professional services.

Arriving from Abroad

If overseas artists come to the UK and start employment with an employer, or if they are self-employed, they will generally be required to pay UK National Insurance contributions – some exceptions to this include:

- Visitors from EEA countries.
- Visitors from 'Agreement' countries - (See IR20 for further details).

Tax Notes that Apply to Visiting Visual Artists

- Visual artists do not come within the definition of 'entertainer' for the purposes of the UK withholding tax legislation.
- An artist does not have any tax liability against payments made to them for attending or participating in an art-related event or exhibition: as long as the artist does not visit the UK on a regular basis so that they are considered to be a UK resident (i.e. visits of less than 183 days in any tax year or visits averaging less than 90 days per year over four consecutive tax years).
- Under the same circumstances (as above) an artist is not liable to pay tax in respect of any income received from the sale of their art works in the UK. In these circumstances, the UK gallery or organiser would also have no liability to deduct tax under the UK tax withholding tax legislation.

Some Instances Applicable to Visiting Artists and Host Galleries:

- When an artist gives a type of 'masterclass' or seminar in the UK for the paying public this activity could be considered to be of an 'entertainment nature', and the Inland Revenue would require any payer to deduct withholding tax (currently 22%) when paying the artist.
- In the case of visual performance artists the Inland Revenue recognise that the definition between visual representational art and performance art can be difficult to define. The Inland Revenue regard any performance given in the UK by a non-UK resident performance artist, to be essentially of an entertainment nature, and so they would look to withhold tax from the employer who was paying the artist.
- If art works by a non-UK resident artist are sold by a gallery, there is no tax liability on the artist or the gallery owner, regardless of the level of the sale value.
- If a gallery organises a paying event related to the exhibition, it is not obliged to withhold tax on any of the ticket sales, and the visiting artist has no liability on any share of these proceeds. However the gallery does have a tax liability when the ticket sales constitute part of its overall income and profits for normal UK tax purposes.

Further Information

The Inland Revenue <http://www.inlandrevenue.gov.uk>

Residents and Non-Residents: Liability to Tax in the UK at <http://www.inlandrevenue.gov.uk/pdfs/ir20.htm>

Residence and Domicile forms at http://www.inlandrevenue.gov.uk/cnr/r_and_d.htm

The Foreign Entertainers' Unit
Unit 1, 2nd Floor
Prince's Gate
2 – 6 Homer Road
Solihull
West Midlands B91 3WG

Tel: 0121 712 8601/8602/8603

Fax: 0121 712 8662

Email: sco.ir.birm@gtnet.gov.uk

Using VAT Margin Schemes to Sell Works of Art

You may consider using the Margin Scheme for tax purposes if you are buying and selling works of art in the UK. This allows you to calculate the VAT on the difference between your buying and selling price. Works of art either acquired or bought from the artist are eligible for this scheme, as long as certain conditions are met e.g. it is important that you are able to comply with the stated record-keeping, invoicing and accounting rules set down by Customs & Excise.

Comprehensive notes and examples of calculations are provided in Notice 718 *Margin Schemes for Second-hand goods, Works of Art, Antiques and Collectors' Items* at <http://www.hmce.gov.uk/forms/notices/718.htm>. This are also notes on the Auctioneers' Scheme which can be applied to the sale of imported works of art, antiques and collectors' items or on works of art obtained directly from an artist.

See Notice 700 *The VAT Guide* at <http://www.hmce.gov.uk/forms/notices/700conts.htm>

For queries about the Margin Scheme contact:

HM Customs and Excise
Accounting and Records
4th Floor South West
Queens Dock
LIVERPOOL
L74 4AA

Or your local VAT Business Advice Centre – look under 'Customs and Excise' in your local phone book for contact details.

8. Insurance

Personal, medical and travel insurance and insuring art works in transit are important aspects that visiting artists should consider and arrange before arriving in the UK. Some forms of insurance are compulsory for employers.

For UK Venue

- **Employer's Liability** - A legal requirement for all UK employers to protect against liability for injury, disease or death of their employees in the workplace.
- **Public Liability** - Protects employers against liability for public death, injury or damage to property within the public workspace (i.e. in a gallery/exhibition space).
- **Health & Safety at Work** – See *Health & Safety Regulation: A Short Guide* at <http://www.hse.gov.uk/pubns/hsc13.htm>
- **Buildings and Contents** – Assess the total value of art works to be exhibited in advance, and ensure works are covered by your organisation's policy. Check if the artist is arranging personal insurance cover for their works.
- **Theft and Damage** – Check if included in your Contents insurance.
- **Goods in Transit** - To insure the movement of art works between venues. This is organised by or between the exhibition organiser and the artist, depending on who is responsible for transporting works to the UK. If the artist transports works personally, they should ensure that the works are covered against damage. Shipping companies generally have company insurance to cover works handled by them – check this with them.
- **Government Indemnity Scheme** - An arrangement where the Government guarantees against loss or damage to museum objects which are loaned to publicly-funded museums, galleries and libraries (inc. local authorities and university museums). **N.B.** This Scheme only covers works from museum collections: see http://www.resource.gov.uk/action/gis/faq_gis.asp

For the Artist

- **Medical Insurance** - Overseas visitors (not ordinarily resident in the UK) must pay for NHS hospital treatment except: people who come to the UK for employment; EEA nationals; and nationals of countries with which the UK have reciprocal agreements. See details in the *Overseas Visitors Patients Guide* at <http://www.doh.gov.uk/overseasvisitors/patientguide.htm>. The Association of British Insurers (ABI) provides advice on personal medical and health insurance at <http://www.abi.org.uk/Public/Consumer/SmallBusiness/smallbusiness.asp>.
- **Travel insurance** – See ABI at <http://www.abi.org.uk>; International Association of European Travel Insurers <http://www.iae-travelinsurers.com>; International Information Institute at <http://www.internationalinsurance.org>
- **Public Liability** - Important to consider especially if participating in workshops, residencies, performances and other events that involve working with the public in a gallery. (This may already be provided by the gallery).
- **Goods in Transit** - As before
- **Insurance of Art Works** - The value of art works for insurance purposes (and for selling if applicable) should be clearly established between artist and exhibition organiser. An international artist with a significant reputation abroad should be aware that their work may be less well known in the UK. This might affect the insurance cover provided by a UK policy, compared to an overseas policy.

See The British Insurance Brokers' Association <http://www.biba.org.uk> to search for UK brokers who deal with works of art cover. The Insurance Information Institute at http://www.internationalinsurance.org/international_directory.html#uk also has a search function to locate overseas insurers.

Useful Organisations

The Association of British Insurers <http://www.abi.org.uk>.

Tel: 020 7696 8999

Email: info@abi.org.uk

Extensive information on all forms of insurance. They produce a useful series of Consumer Factsheets including *Small Businesses*, *Beginners Guide to Insurance*, and *Medical Insurance*.

The Insurance Information Institute <http://www.internationalinsurance.org>.

Email: international@iii.org

Includes a directory of international insurance associations.

Health & Safety Executive <http://www.hse.gov.uk>

Tel: H & S Infoline: 08701 545 500

Details of compulsory regulations for employers and useful information sheets

Health & Safety in Small Firms: An Introduction to Health & Safety at

<http://www.hse.gov.uk/pubns/introhs.htm>.

This includes advice on *Hazardous Materials*; *Manual Handling*; *Work Equipment and Machinery*.

A_N The Artists Company <http://www.anweb.co.uk>

Tel: 0191 241 8000

Email: info@anweb.co.uk

A comprehensive information and advice resource for practising visual artists. Includes information on types of insurance and health and safety issues relevant to artists.

Artquest <http://www.artquest.org.uk>

Tel: 020 7426 6970

Information and advice resource for London-based visual artists. Has a section on legal advice with contacts for art-related insurance brokers at <http://www.artquest.org.uk/present.html>.

The Museums & Galleries Yearbook <http://www.museumsassociation.org>

This annual publication includes a supplement *Guide to Suppliers and Consultants* (published by The Museums Association). Includes contacts for insurance and legal services.

Regional Arts Online Information Sheets <http://www.arts.org.uk>

A useful source of general information, including a range of advice on insurance for arts organisations and artists produced by the regional offices of the Arts Council of England.

Contact:

Tel: 020 7333 0100

Email: enquiries@artscouncil.org.uk

9. Artists' Fees

Resources

The following sources provide guidelines for suggested fee and per diem payments:

The Arts Council of England produce guidance notes on *Rates of Pay for Artists* (produced with the National Artists Association in 1999).

Contact ACE Library and Enquiry Service at
<http://www.artscouncil.org.uk/news/index.html>
Telephone and Minicom: 020 7973 6517
answered Mon - Fri 2.00pm - 5.00pm only Fax: 020 7973 6590
E-mail: enquiries@artscouncil.org.uk

Arts Council of England
14 Great Peter Street
London
SW1P 3NQ

The Regional Arts Offices of ACE produce a series of information sheets including *Fees and Payments for Visual Artists* (© Lee Corner 1997 & 2000 Produced by AN <http://www.anweb.co.uk>).
e.g. the *Rates of Payment to Artists*
(produced in association with the National Artists Association).

See Regional Arts Online at **<http://www.arts.org.uk>**
See Information Sheets at **<http://www.arts.org.uk/docstore/infosheets/default.asp>**

Other useful sources of advice and information can be found at:

Artquest <http://www.artquest.org.uk>
Anweb <http://www.anweb.co.uk>

10. Shipping and Transporting Art Works

Transporting works of art from overseas is a major consideration in terms of costs and planning. Shipping arrangements can be complicated and demand an awareness of customs documentation and international regulations that govern the movement of certain items and materials. In circumstances where bulky or a large number of art works are to be brought into the UK, it may be advisable for a less-experienced artist or organiser to consider the services of a reputable shipping agent who can manage the necessary arrangements for a successful move.

Choosing a Shipping Agent

- If an artist is experienced at shipping work abroad he/she may know a local agent in their country who they can deal with independently. Some artists will take full responsibility for carrying works personally or accompanying art works by road or air freight. They will need to be aware of all documentation and customs requirements at home and overseas ports of entry/exit. To avoid confusion, the exhibition organiser and the artist should clarify each other's responsibility for transporting art works from the start, as part of a written agreement signed by both parties.
- If the artist is driving to the UK see the DVLA advisory notes *Driving in Great Britain as a Visitor or a New Visitor* at http://www.dvla.gov.uk/forms/online_leaflets.htm. All drivers must comply with British minimum age requirements. Holders of EEA licences can drive any vehicle as long as their licence remains valid.
- The number of fine art agents in Europe is rapidly increasing, so shop around when researching companies, and obtain a range of quotes. It is worth checking if your colleagues or contacts have previously shipped works from abroad and can recommend a company.

Other Sources of Information:

- Local galleries and museums
- Local British Council office
- Regional offices of the Arts Council of England – see <http://www.arts.org.uk/index.asp> for contact web sites
- Cultural attachés at relevant embassy - who may have contacts for local agents/suppliers
- *The Museums Association Museums & Galleries Yearbook* – an annual publication with a useful supplement *Guide to Suppliers and Consultants*

Artists information web links such as: **A-N** <http://www.anweb.co.uk>
and **Artquest** <http://www.artquest.org.uk>

- Shipping regulatory and representative bodies such as:
BIFA The British International Freight Association <http://www.bifa.org>
ICEFAT The International Conventions of Exhibition and Fine Art Transporters
<http://www.icefat.com/>

Shipping agents vary between: multi-national freight companies who transport industrial or heavy duty goods; multi-national or local shippers which transport general goods e.g. furniture, for domestic or corporate moves; and fine art shipping specialists. Assess the level of services that you need. The requirements needed to transport art works differ from those of moving less valuable or non-fragile objects. A basic distinction can be made between specialist fine art and non-art focused shippers who may pack, handle and consider items as objects or furniture where the 'artistic' condition and value of an art work is less prioritised.

Aspects to Consider

- Plan ahead in good time. This is difficult to specify but depending on the scale, complexity and funding sources for the exhibition, advance planning can take between 3 – 12 months.

- Get a range of quotes from shipping agents including costs for delays, customs clearance and freight charges. This process can be lengthy and it is worth providing agents with full details e.g. exact dimensions of art works; descriptions of works and materials; timeframe of the exhibition; access details and dimensions of your exhibition venue which will determine the size of vehicle required. Quotes are based on various factors: labour; vehicle mileage; documentation; packing requirements, storage and other services. It is advisable to visit the shipping agent's premises to see the conditions in which art works are stored and handled and the type of vehicles used. Check if they sub-contract or use the services and equipment of overseas agents for transporting works to/from abroad, and the costs involved.
- Knowledge of and ability to handle customs, carnets and documentation procedures is key. Incorrect or incomplete paperwork can result in the delay or seizure of art works at British Customs which can incur penalties on works, and/or the prevention of re-exporting the works into the UK for up to a year. For any artist and especially an emerging international artist, this can be financially and promotionally damaging as the seizure of works at ports will seriously affect an exhibition.
- When shipping works from overseas, remember that unexpected delays due to transport strikes, breakdowns or bad weather will affect the timing of works arriving in the UK. Ensure you have allowed sufficient time within your schedule to allow for these delays.
- Many fine art shippers offer a range of services including project management; specialist design, packing and crating of art works; construction of supports and plinths; climate-controlled storage conditions; specialist staff trained in art handling procedures; insurance; courier services; carnets and documentation procedures at ports of entry/exit; and exhibition installation.

Transportation of Works of Art

Items can be transported by air, sea, road or rail with varying time and transport restrictions. Within the EU the main form of transport is more commonly by road.

Air freight is more appropriate for long distances, is quicker, but is more expensive than road or sea freight. For shorter distances, air transportation will cost more due to the smaller size of plane used and the increasingly higher level of restrictions imposed on airfreight.

Rail and sea freight are less common methods of transporting art works: both are slower methods and potentially more hazardous to works in transit due to higher vibration levels. However sea freight may be worth considering for large and heavy pieces such as sculpture.

With all methods of transport, it is essential to plan the most direct route possible to avoid unnecessary delay and potential damage to art works. It is likely that works are consolidated within a larger shipment that departs from a port on a regular schedule that is pre-determined by the shipping company.

You may have to fit your transport arrangements within set timetables when planning your exhibition schedule, and be prepared for works to take longer to arrive than anticipated.

Packing and Storage

Correct packing and storage methods of art are essential and depend on various factors:

- Size, dimensions and weight of art works
- Type of art work and media i.e. painting, print, work on paper, photograph, sculpture, installation, video/film, textile, craft, non-traditional media (organic or hazardous materials). If an art work is composed of an organic material, consider the possibility of obtaining materials in the UK rather than shipping them over. The artist might consider using an alternative material e.g. paper, polystyrene, plastic. Some materials are prohibited from entering the UK and Customs regulations are stringent.

There are restrictions on obscene material brought into the UK: this should be considered also when returning material overseas, as countries have different levels of culturally

acceptable material. Full details of items and materials that are prohibited in the UK can be found in

Notice 1 A *Customs Guide for Travellers entering the UK*

<http://www.hmce.gov.uk/forms/notices/1.htm>

Customs & Excise National Advice Service Telephone: 0845 010 9000

Local Customs & Excise email enquiries:

<http://www.hmce.gov.uk/contact/email-advice.htm>

- Rigidity of packing: Works need to be sufficiently secured against damage and shocks from movement in transit. Specialist fine art shippers will plan strategies to avoid unnecessary damage. They can design tailor-made shock-absorbent foam moulds/polyforms to protect works in individual packing cases; and will label packing cases with the correct handling procedures. Packing plans should accompany each crate.
- When a single art work is crated, the packing should not disguise its shape and nature so that it is easier for Customs & Excise to make an assessment of it.
- Environmental conditions such as temperature and humidity control, necessary for the type of media. RESOURCE provides useful online advisory sheets for many aspects of conservation of different media at <http://www.resource.gov.uk/information/advice/00conserve.asp>.
- Methods of packing/casing works: Customs & Excise regulate and prohibit the entry of certain materials into the UK, especially organic materials. Consider the types of wood used in packing cases e.g. if the wood has been processed (kilned) before use to kill insects and pests. Customs target certain regions and countries for prohibited materials and it is advisable to check the Foreign & Commonwealth Office web site at <http://www.fco.gov.uk> for latest guidelines.

The Forestry Commission provide information about importing types of wood into the UK. Tel: 0131 314 6414; email: enquiries@forestry.gov.uk.

DEFRA (Department for Environment, Food & Rural Affairs) at <http://www.defra.gov.uk> provide information on importing other materials into the UK. DEFRA Helpline telephone: 08459 33 55 77 (between 09.00 – 17.00, Mon – Fri); Email: illegal.imports@defra.gsi.gov.uk for enquiries about importing meat, animal products or plants.

DTI (Department of Trade and Industry) at <http://www.dti.gov.uk>. See 'Help & Advice' at <http://www.dti.gov.uk/export.control/help/other.htm>

- Packing cases should be secured with screws (not nails) - they are much simpler to open and pose less potential risk to art works during unpacking. Crates should be clearly marked with certificates indicating the exact contents and materials contained inside.

It is important to realise that practices differ between countries and depend on the experience and services offered by individual shipping agents. Shippers in more remote geographical regions may have less knowledge or experience of British Customs regulations, and a non-specialist agent in the UK may have less knowledge of the correct handling, transport and customs procedures for moving works of art.

Information Sources

The following organisations provide further information and advice related to the movement of art works:

UK Registrars Group - A membership organisation for museum and gallery registrars, concerned with aspects of collection management, display, movement and policy. See the UKRG *Courier Guidelines* document at <http://www.ukrg.org/pdf/UKRGCourierGuidelines01.pdf>

TEG (The Touring Exhibitions Group) - An independent membership organisation that provides information and advice on many aspects of exhibition planning. They produce a series of advisory publications e.g: *Packing Paintings and Drawings*; *Circulation and*

Conservation; and Importation and Exportation of Exhibitions & Artefacts. A second edition of the TEG's *Manual of Good Practice* that provides detailed information about exhibition and touring organisation is currently in production. See <http://www.teg-net.org.uk> for full contact and publication details

Fine Art Shipping Companies

Please note: The following list of shipping companies is not fully comprehensive, but are companies that have experience of transporting fine art internationally and which can be found in a variety of sources including: the UK Registrars Group; the *Museums and Galleries Yearbook Guide to Suppliers & Consultants*; Artquest <http://www.artquest.org.uk> ; A-N Artists Information Company <http://www.anweb.co.uk>; and British Council staff in the UK.

Visiting Arts strongly recommend that exhibition organisers research additional shipping agents to ensure they find a company that provides the services they require.

Locate contacts for local services in:

Yellow Pages	http://www.yell.com
BT Directory	http://www.bt.com
Thomson Directory	http://www.thomsonlocal.com/
In Northern Ireland	http://www.ninetwork.com/
In Scotland	http://www.scotfind.com/links/Business
In Wales	http://www.walesweb.co.uk

Selected UK-based Fine Art Shipping Agents

Telephone and web contacts:

Anglo-Pacific International plc http://www.antiques-uk.co.uk/anglo-pacific/	020 8838 8008
Art Move http://www.artmove.co.uk	020 7585 1801
ArtWorld Shipping Ltd http://www.artworld-shipping.co.uk	020 7482 3308
Cadogan Tate (Fine Art Division) http://www.cadogantate.com	020 8963 4000
Constantine http://www.const.co.uk	020 7732 8123
Damon Bramley Transport (Sculpture transport and installation)	0701 0701120
Gander & White Shipping Ltd http://www.ganderandwhite.com	01403 700044
Kent Services Ltd http://www.kent-services.com	01795 660 812
JPW http://www.jpwtransport.co.uk	020 7627 1313
M&G Transport & Technical Services http://www.museumtransport.co.uk	01254 884 244
McCarthy's of Leeds http://www.mjmccarthy.co.uk/	0113 262 3061
Martinspeed http://www.martinspeed.com	020 7735 0566
Momart http://www.momart.co.uk	020 8986 3624
Oxford Exhibition Services http://www.oxex.co.uk	01367 820713
Premier Moves http://www.premiermoves.co.uk	020 8216 6000
Transeuro (Fine Art Division) http://www.transeuro.com/	020 8784 0100

Other Sources

A-N Magazine for Artists

A monthly feature magazine and extensive web site for visual arts practitioners and curators which includes a useful listings section with art-related services. See <http://www.anweb.co.uk/anmag/anmag1.htm> for subscription details.

Artquest

See *Transportation and Packing* at <http://www.artquest.org.uk/present.html>

Galleries Magazine

An art listings magazine and web site which includes details of fine art specialists e.g. fine art shippers, art packers, photographers, framers, picture hangers.

See <http://www.artefact.co.uk/g-ts2.htm>

LAPADA (The Association of Art and Antique Dealers)

A membership association for fine art and antique dealers. Their web site includes details of transport companies that handle art at <http://www.lapada.co.uk/membership/export.html>.

Selected International Shipping and Freight Organisations

ICEFAT International Conventions of Exhibition and Fine Art Transporters

Has a search function to locate international shippers by country or company name

<http://www.icefat.com/>

BIFA British International Freight Association

The primary body representing UK international freight services industry. It has a function to search for shippers by UK city or town.

<http://www.bifa.org>

ABP Association of British Ports – Has links to UK ports and services

<http://www.abports.co.uk>

Freightvision

On-line information about the UK freight industry

<http://www.freightvision.co.uk>

EFFA European Freight Forwarders Association

<http://www.ffa.com>

DTI Department for Transport

<http://www.dft.gov.uk>

Irish Maritime Development Office - See *Shipping Directory* for contacts

http://www.imdo.ie/international_shipping_directory

FIATA The International Federation of Freight Forwarders Associations -

A non government organisation in transportation

<http://www.fiata.com/>

IATA International Air Transport Association

<http://www.iata.org>

IMO International Maritime Organisation

<http://www.imo.org>

AMSA American Moving and Storage Association

<http://www.moving.org/>

PAIMA Pan American International Movers Association

<http://www.paima.com/>

LACMA Latin American & Caribbean International Movers Association
<http://www.lacmassoc.org/>

11. ATA Carnets

An ATA Carnet is an international customs document used for the temporary movement of goods between countries that are signatories to the ATA or Istanbul Convention. Except for works of art imported for auction with a view to possible sale, there should always be an intention to return goods to the country of origin. Goods must not be processed or repaired other than routine maintenance necessary to maintain them in the condition that they were imported.

A carnet is a booklet of internationally-recognised vouchers that replaces normal Customs & Excise declarations. It can simplify arrangements for temporarily imported or exported items and can help to alleviate difficulties arising from language barriers and unfamiliar Customs documentation between countries. A carnet:

- Can contain any number of vouchers to allow items to move between several countries or for multiple trips made using one carnet. Each voucher contains the 'general list' of items that it covers - i.e. a description of each individual art work covered by the carnet;
- Is valid for a maximum of one year from the date of issue – some countries will issue or accept a replacement carnet that extends the validity period to a maximum of two years;
- Is issued by Chambers of Commerce or the local equivalent in a particular country. An overseas artist needs to contact their nearest office in their home country. There is often a charge for issuing a carnet. A local Chamber of Commerce can provide advice on specific regulations of using a carnet abroad. Further information about the issue of carnets in the UK and contact details for international Chambers of Commerce can be obtained from:

The London Chamber of Commerce and Industry
Export Documents – Carnets
33 Queen Street
London EC4R 1AP
Tel: 020 7203 1855; Fax: 020 7489 0391
<http://www.londonchamber.co.uk>

Items from EC countries

A carnet is not required for goods originating in the EC that are temporarily imported to the UK from other Member States of the EC, or for goods imported from outside the EC that are in free circulation when:

- All import formalities have been complied with;
- All import duties, levies and equivalent charges payable have been paid and have not been fully or partially refunded.

Using a Carnet

- A carnet is issued to the holder named on the front cover. It can be used by them or another named representative. The carnet holder does not have to be the original owner of the goods but is liable for any subsequent customs duty or charges that are made. They are responsible for ensuring that each voucher is endorsed correctly at every Customs entry/exit point.

Usually if a non-EC artist arranges for a shipping company to transport works into the UK, the agent will obtain a carnet and a member of their staff is named as a representative.

- The carnet must be presented to customs with the relevant import, export or transit voucher. Each time a carnet is presented to Customs a declaration on the voucher is completed, Customs will check and endorse that the correct procedures have been followed and that the original items are present. If voucher sections have been incorrectly processed or not endorsed, or if any of the items originally stated on the carnet are missing, the carnet holder may be liable for Customs duty and any import charges.
- Carnets cannot be used for any items sent by post.

Further information about carnets is available from Customs & Excise in Notice 104 *ATA Carnets* at <http://www.hmce.gov.uk/forms/graphics/104.pdf>. This includes details of other Chambers of Commerce in the UK.

Works of Art

- Works of art are defined in Annex I of Directive 77/388/EEC amended by Directive 94/5/EC. See Customs Notice 200 at http://www.hmce.gov.uk/forms/notices/200.htm#P1648_130827

Goods used for the Installation of an Exhibition

- Art materials, equipment or tools used for exhibition installation can be covered by an ATA Carnet if they are for an event or exhibition that is not organised solely for the commercial sale of imported goods.

Tips for Completing and Using ATA Carnets

- If an ATA carnet is not presented and endorsed at each Customs entry/exit point, Customs can seize the goods or demand payment that will delay the entry of the works into the UK.
- If an ATA carnet is insufficiently completed, Customs officers may refuse entry to the items and works can be withheld while a normal Customs declaration or replacement carnet is issued. If the description of goods is inadequate and Customs cannot easily identify items, the carnet can be refused and/or duty payment charged. Take photocopies and photographs of each item listed on the carnet to speed up identification at Customs.
- It may be necessary to provide an English translation of the carnet.
- Customs points are not staffed 24 hours a day and often not at weekends. Check in advance if the relevant Customs office at the port of entry will be staffed on the date of arrival to the UK. Contact the C & E National Advice Service on 0845 010 9000 for details of customs offices: <http://163.171.52.105:8016/contact/index.htm>
- Once a carnet is issued additional items cannot be added to it. If you wish to import or export any extra items, you will need to apply for a separate carnet.
- Items on a carnet can be 'diverted to free circulation' i.e. if a work of art that entered the UK on a carnet is subsequently sold in the EC. A Customs declaration on form C88 (SAD) quoting reference CPC 40 53 00 has to be completed and sent to the National Carnet Unit (NCU) along with all necessary information. This includes payment of VAT. The NCU will endorse the declaration and relevant parts of the carnet, which is usually returned within a few days. However if additional information is required this can delay the process. Compensatory interest is charged if some temporarily imported goods are diverted to free circulation. Works of art (as defined by C & E) are generally not subject to compensatory interest, but it is advisable to check with the NCU.

HM Customs & Excise
National Carnet Unit
1st Floor
Queens Dock
Liverpool L74 4AG
Tel: 0151 703 1373/1368/1385
Fax: 0151 703 1371
<http://www.hmce.gov.uk>

12. Exhibition and Display Issues and Potential Costs

The following list outlines other planning issues for the organisation of an exhibition and includes a selection of publications and web sites that provide useful resources. These issues will add significant costs to your exhibition budget, so it is worth estimating these costs as early as possible. Other sources of advice when working with overseas artists are: your local British Council office; the relevant UK embassy or consulate; your local regional arts office or Arts Council; and other colleagues or external contacts in the visual arts.

Health & Safety and Risk Assessment of Exhibition Venue

- **Health and Safety Executive** - It is advisable to do a risk assessment of your exhibition venue before planning the layout and installation, and to be aware of any issues related to art handling. General advice and free publications are available at <http://www.hse.gov.uk>.
Tel: 08701 545500; Email: hseinformationservices@natbrit.com
- **A-N Artists Information Company** - For extensive advice on risk assessment of a venue; health and safety precautions; use of dangerous materials; and first aid.
http://www.anweb.co.uk/l_04_d3/d3d01.htm
- **The UK Registrars Group (UKRG)** - This site includes a Facilities Report that the UKRG produce for museums and galleries to assess the suitability of an exhibition venue for potential loans of art work. The Report covers a variety of aspects which are useful for assessing the practicalities of your own exhibition venue e.g. exhibition premises, access and environmental conditions. http://www.ukrg.org/pdf/UKRG_facilites_report.pdf

Venue Access

- **Artsline** - Offers an advisory/consultation service for the physical access requirements of your exhibition space. <http://www.artsline.org.uk/consult.shtml>
- **National Disability Arts Forum** – Provides free downloadable access symbols for signage. <http://www.ndaf.org/access.html>
- **A-N** - For arts and disability information see http://www.anweb.co.uk/l_04_e2/e2a25.htm
- **Artquest** - For related contacts see <http://www.artquest.org.uk/livingworking.htm>

Exhibition Security

- **RESOURCE: The Council for Museums, Archives and Libraries** has advice on displaying art works in a public venue; specifications of display methods; and supervision of exhibitions. <http://www.resource.gov.uk/information/advice/00security.asp>
Address: 16 Queen Anne's Gate, London SW1H 9AA;
Tel: 020 7273 1444; Email: info@resource.gov.uk
- **The Museums and Galleries Yearbook's Guide to Suppliers & Consultants** (published annually by The Museums Association) has a section on *Security Equipment and Services*. Address: Museums Association, 24 Calvin Street, London E1 6NW
Subscriptions Tel: 020 7426 6910; Email: museumsassociation.org

Conservation

- **RESOURCE:** Advice on conservation issues of works of art, see the Information section at <http://www.resource.gov.uk/information/advice/00conserve.asp>
- **UK Institute for Conservation:** A professional membership organisation for UK conservators. It provides advice, training and publications on a wide range of art conservation issues.
Address: UKIC, 109 The Chandlery, 50 Westminster Bridge Road, London SE1 7QY
Tel: 020 7721 8721; Email: ukic@ukic.org.uk; <http://www.ukic.org.uk>

The Conservation Register: A web site operated by the UKIC that has useful advice and contacts in Wales, Northern Ireland and Scotland for conservation queries.
<http://www.conservationregister.com>

- ***The Museums and Galleries Yearbook's Guide to Suppliers & Consultants*** (as before) – Contact details for conservation materials, lighting, temperature and humidity control equipment and services

Interpretation

The extent of interpretative material depends on the nature, size and content of the exhibition, and the scope of your exhibition budget.

'Interpretation' includes: explanatory labels and wall texts alongside art works; written exhibition guide or leaflet; catalogue; exhibition audio-guide; artists' or curators' gallery talks; and educational or outreach activities that may involve collaboration with local schools, colleges or community groups.

Preparing the material for catalogues, leaflets, publicity and audio-guides will take considerable advance planning, approx. up to 12 months, and will involve commissioning text; organising and securing copyright permission for use of images; designing label texts; and organising translations of text.

- **DACS - The Design and Artists Copyright Society** provides information and advice on many aspects of copyright related to visual arts.
Address: DACS, Parchment House, 13 Northburgh Street, London EC1V 0JP
Tel: 020 7336 8811; <http://www.dacs.org.uk>
- **RNIB - The Royal National Institute for the Blind** produces an information fact sheet *Overview of Designing Equipment* with useful advice for designing print and labels for visually-impaired people.
<http://www.rnib.org.uk/wesupply/fctsheets/devices.htm#Introduction>
Tel: 0845 702 3153; Email: CServices@rnib.org.uk
- **Artquest** - Contact details for graphic design and print services at <http://www.artquest.org.uk/manage.html>

Also check services in your local telephone directory; contact your local British Council office; and local galleries or museums.

Framing

If art works are being shipped from overseas, or if the artist is bringing unframed paintings, works on paper or photographs in their personal luggage, consider having the works framed in the UK. This can cut down shipping costs and potential damage to art works in transit.

- **Artquest** - Contact details for framing services at <http://www.artquest.org.uk/manage.html>
- ***The Museums and Galleries Yearbook's Guide to Suppliers & Consultants*** (as before) includes contacts for services.

Exhibition-Related Events

Consider the costs of exhibition-related events which might involve additional staff and security costs if they are out-of-hours: e.g. previews; artists' talks, seminars, workshops, conferences, schools, colleges and other outreach activities.

13. Checklist for Bringing Art Works to the UK

1. **Timing:** Plan ahead in good time - exhibition preparations can take up to one year.
2. **Artist's/Curator's Responsibilities:** Agree with the artist whose responsibility it is for transporting art works. Make a written agreement that clearly states this and which is signed by both parties. The artist may decide either to carry works in their personal luggage, or to transport works themselves.

3. **Art Works:** Obtain the exact details of art works for shipping from the artist: the dimensions, medium, materials used, and weight. Check if any materials are prohibited or regulated by Customs & Excise and provide details of these to the shipping agent if they are organising the shipping.
4. **Shippers:** Research shipping agencies and obtain quotes for the services that you need e.g. the size and method of transport to be used; packing and crating works; collecting works from the artist; special art handling requirements; organising carnets and other documentation as necessary. Try to visit the company to see their methods of packing, storage and transport vehicles.
5. **Packing/Handling:** Check if the artist will be responsible for packing the work themselves and/or if they are able to deliver the work to an agreed location for collection by the shipping company. If there are special handling or packing requirements, ensure these are clearly described on the packing notes within the crates and also given to the shippers.
6. **Routes and Timing:** Check with the shippers the route used to transport the works, and the UK airport or port of arrival. Obtain a schedule and expected date of arrival and check if they will deliver to the exhibition venue/storage area. If you are responsible for collecting works, organise suitable transport and check opening times especially if you are collecting works from Customs.
7. **Delivery:** If the shippers deliver works to the venue or store area, ensure they have the correct location details. Also provide: weight restrictions and dimensions of access routes such as height and width of doorways; details of parking and unloading areas; the space, condition and lighting of the unloading area; opening/closing times of the venue; and telephone number for a named person responsible for accepting the works.

Finally Don't Forget!

Costs for:

- Venue hire
- Venue heating/lighting costs
- Staff and security costs
- Packing materials (if necessary) e.g. bubble wrap, rope, crates, foam
- Telephone, postage and courier costs (for international calls and correspondence)
- Installation and technical services
- Framing, case or plinth-making
- Commissioning the design and print of exhibition catalogue or texts
- Translation services
- Publicity and marketing for exhibition previews and educational events e.g. printing/sending invites; organising photography; advertising in local/national press.

Post-exhibition

This might include: arranging for the exhibition to tour; packing art works for shipping to tour venues or return to the artist; answering public enquiries/monitoring feedback; collecting visitor statistics and collating press coverage; writing funding reports; feedback to agencies like VA e.g. information, lessons learnt, issues raised that may help other practitioners who wish to work with artists from the same country in the future.

14. Final Checklist

Organising an exhibition involves advance planning which can take up to one year depending on the size and scale of the exhibition and the number of artists involved. The following checklist assumes that a venue and exhibition dates have been provisionally allocated.

Checklist for Inviting Artists from Overseas

1. **Budget:** Establish your budget and confirm any external funding or grants. Include costs for artists' per diems; artists' commissions; travel and accommodation expenses; work permits and visas; police registration; insurance; shipping; and emergency contingency funds.

2. **Work Permit:** WPUK advise that applications should be made no longer than six months before the intended date of entry to the UK. **N.B.** Visas cannot be issued until a work permit is obtained. (See pages 6 - 11).
3. **Artists' Documentation:** Check that they are aware of the procedure and time required for getting visas/entry clearance and that they have a valid passport with an expiry date after the planned date of return. It is important to check their passport and visa status so that applications can be made in advance if necessary. (See pages 11 – 13).
4. **Tax:** Check the artist's tax status and any eligible tax allowances. Contact your local tax office for advice. (See pages 18 -20).
5. **Insurance:** Arrange cover if necessary e.g. travel, public liability or medical insurance. (See pages 21 - 22).
6. **Artists' Works:** If you plan to commission or show new work, confirm with the artist what they plan to exhibit. Consider the medium; theme; dimensions; and estimated time of completion, so that you know what to expect when you finalise the exhibition content and installation.
7. **Artists' Letter and Contract:** Invite the artist by letter to participate in the exhibition, including a contract outlining the responsibilities of the curator and artist - (see pages 4 - 5). If the artist needs to apply for a visa or entry clearance, it is advisable to send/fax copies of your invitation letter to the relevant British Embassy or Mission with a cover letter explaining that they will be applying for a visa.
8. **Artists' Requirements:** Check if the artist has particular cultural, religious, dietary or other requirements. This may affect choice of accommodation i.e. single-sex only; access to worship facilities; and suitable cooking area for e.g. vegetarian, halal or kosher food.
9. **Travel arrangements:** If applicable make the artists' travel arrangements including transfers to/from airports. Confirm the travel details with the artist e.g. flight times and correct entry airport, port or station. Ideally you or a colleague should arrange to meet them on arrival and accompany them on departure from the UK.
10. **Police Registration:** If necessary check where the artist will need to register. (See pages 16 - 17).
11. **Biography:** Collect biographical information about the artist e.g. artist's statement, images of their work and copyright agreements for press, catalogue or event publicity.
12. **Translations:** Check if you will need to organise a translator or translation services in order to work with the artist while in the UK or to produce exhibition literature in advance.
13. **Embassies:** Tell the cultural attaché at the relevant embassy or consulate in the UK and about the exhibition, as many embassies produce newsletters about country-specific events, which are useful publicity. The London Diplomatic List on the Foreign & Commonwealth Office web site provides details of embassy and consulate staff in London. See under 'Useful Links' at <http://www.fco.gov.uk>.