



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL MIGRATION and HOME AFFAIRS

Directorate B: Schengen, Borders and Visa  
**Unit B.4: Visa Policy**

Brussels,  
HOME/B4/SG



**Subject: work permit and visa free travel for touring professionals and artists**

Dear ,

The Cabinet of Commissioner Johannsson has asked me to reply on its behalf to your letter dated 6 June 2022. In your letter, you raise a number of topics concerning visa-free travel for touring professionals and artists between the UK and EU.

As you are aware, when it comes to the movement of persons, the UK has chosen to no longer allow the free movement of EU citizens to the UK. In the negotiations on Trade and Cooperation Agreement (TCA), the UK refused to include a chapter on mobility in the TCA, despite the European Union offering to do so and despite both parties' agreement – ahead of the negotiations – in the joint Political Declaration to establish non-discriminatory “mobility arrangements”.

Moreover, by refusing to include a bilateral visa waiver component in the TCA, the UK also effectively excluded agreeing on a Joint Declaration, something which usually accompanies that kind of commitment in the EU's international agreements. Such a Joint Declaration could have enumerated the categories of activities that cannot be subject to a visa requirement for the purpose of undertaking a “paid activity”.

Consequently, the possibility for the UK nationals to undertake “paid activities” during their stay in a Member State will depend on the law of that Member State: a Member State may subject the undertaking of a paid activity to obtaining a work permit; it may also decide to request a visa – even in the case of short-term stays – when such stay includes the undertaking of “paid activities” (cf. art. 6(3) of Regulation 2018/1806). While it is true that the Visa Handbook recommends that this exception should be interpreted narrowly, please note that the Visa Handbook does not create any legally binding obligations upon Member States.

Finally, contrary to what you state in your letter, please note that there is no conflict between the TCA and Regulation 2018/1806, as the TCA does not include rules on visas, and Regulation 2018/1806 applies to UK nationals in the EU, including the possibility for Member States to request a visa from persons carrying out a paid activity during their stay.

I hope you will find this information useful.

Yours sincerely,

*Dimitrios Giotakos*  
Head of Unit