



Department for Digital, Culture, Media & Sport

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Lord Kinnoull
Chair
European Affairs Committee
House of Lords
London
SW1A 0PW

Dear Lord Kinnoull,

Thank you for your correspondence of 12 January 2022 on support for the UK music industry to the Foreign Secretary. As the minister responsible for Touring for creative and cultural industries, I am responding on behalf of the Government.

This Government wants to ensure that our internationally renowned creative and cultural artists can continue to travel widely, learning their craft, growing their audiences and showing the best of British creativity to the world. We recognise challenges remain around touring in the EU, and we are continuing to work closely with the industry, including through the DCMS Touring Working Group, to address these.

You raise a number of points in your correspondence, and I shall address each one in turn.

Hauliers for the Creative Sector

You asked for an update on progress regarding the concerns of specialist hauliers servicing touring artists and for details of the unilateral actions proposed by the Secretary of State for Transport, the rationale for these, and their anticipated effects.

We are working across Government and with industry to consider what the UK can do unilaterally to address the needs of the specialist events haulage sector and the wider touring supply chain. The Department for Transport (DfT) will be launching a public consultation shortly on a possible unilateral measure to allow specialist events hauliers with bases in both Great Britain and another international location to temporarily transfer their vehicles between their respective operator licences. This will involve legislating for a Vehicle Excise Duty (VED) exemption for these hauliers while operating on their Great Britain (GB) operator licence.

Mode IV proposals and Visa Waiver

The UK set out forward leaning proposals on Mode IV during negotiations on the Trade and Cooperation Agreement (TCA) with the EU. We argued that the Mode IV provisions should build on CETA and the EU-Japan FTAs, and should clearly set out the activities that can be undertaken by a short-term business visitor.

The EU's proposed Mode IV text on the other hand, fell short of the deal that they negotiated with Japan in a number of respects. Most notably, the EU's initial proposal for short-term business visitors was for only 90 days in 1 year. We did not agree with this limited approach and successfully negotiated a more ambitious outcome of 90 days in 6 months.



The UK's proposal was developed with input from a number of sectors. With regard to touring, our proposal would have enabled performers, artists and support staff to tour and perform in the EU without needing work permits. To deliver this goal, we proposed expanding on the EU's standard approach to the permitted activities that 'short-term business visitors' could undertake. However, the Commission contended that Member States had no economic interest in signing up to our proposals, and maintained – incorrectly – our intention was to replicate the free movement of service suppliers. The fact that we have agreed these proposals (as tabled with the EU) with Norway, Iceland and Liechtenstein demonstrates progress on these issues can be made with like-minded trading partners – including those within the European Economic Area. The provisions agreed with the EEA EFTA countries ensure that our cultural and creative professionals can tour with their support staff without requiring a work permit, including for a longer period than is currently allowed in Norway. Details of the entry-exit and length of stay provisions under the UK- EEA EFTA FTA can be found in Annex XVIII of that Agreement.

We do not believe the visa waiver proposal is viable and it is not government policy to make such agreements. What the EU offered during the TCA negotiations was not a visa waiver for paid activities. What they did offer was a reciprocal visa waiver agreement covering all current and any future Member States for short stays, for example, as a tourist. However, nothing in this proposal would have compelled Member States to change their visa regimes for paid engagements.

That proposal remains incompatible with our manifesto commitment to take control of our borders, nor would it meet the sector's needs. We do enable visa-free visits from EU citizens, but we wish to retain control of how we apply the policy. No major G7 economy has agreed to lock in their visa systems with the EU.

Engagement with EU Member States

You asked the Government to undertake a review of the quality and accuracy of visa and work-permit free regimes applicable for creative professionals visiting each EU Member State. Our information remains accurate in that 21 out of 27 EU Member States have confirmed they offer visa and work permit free routes for performers and other creative professionals. Many Member States offer routes of up to 90 days, including important touring markets, such as Spain, France and Germany, and most offer over 30 days. It is important that we recognise that these routes do exist, to ensure our creative professionals are not discouraged and can resume touring with confidence.

As you note, and as the Government has explained previously, durations, precise definitions and requirements can vary from Member State to Member State. The Government advises travellers to check what requirements they need to fulfil with the Member State to which they are travelling. This is why the Government has provided updated [travel advice](#) for travelling to the EU and individual [business traveller summaries](#) for EU Member States and EFTA countries. The guidance provided on GOV.UK is based on what other countries publish about their domestic rules and regulations which may change without prior notice. The information is meant as preliminary guidance only and does not constitute legal advice.

The Government continues to work hard to encourage Member States to ensure their guidance is simple and accessible, so that creative professionals know exactly what they need to do when touring in a particular country. Where we have been provided with new information by Member States, we update Government guidance as appropriate and share the information with sector organisations. Stakeholder feedback has also been valuable in identifying potential issues with Member States' guidance and that published on GOV.UK, and we are grateful to organisations such as the ISM for bringing to our attention any concerns. We continue to follow up on these, where in scope, and make changes to GOV.UK guidance where necessary, in line with our regular review process.

We are continuing to work with the remaining six Member States, including Greece and Portugal, who have not confirmed that they allow any visa or permit free touring, to encourage them to adopt a more flexible approach. Most recently, I met with the Greek Alternate Minister of Foreign Affairs and the Greek Ambassador on 2 December, and again with the Greek Ambassador on 14 December. Ultimately it is up to these countries to align their requirements more closely with the UK's generous rules, but we are continuing to use the diplomatic tools at our disposal, and working closely with sector stakeholders, to get a good outcome for our industry.

Young Musicians

We recognise that working and touring in Europe can be such an important part of musicians' professional lives, particularly for newer or emerging individuals, acts and organisations. In many respects, the challenges young musicians may face are the same as those facing musicians generally. That is why we have sought to clarify arrangements, including confirming that splitter vans are not subject to the TCA, with their use subject to Member State law instead, which was the case while the UK was a member of the EU. This has been recognised as particularly valuable for younger and emerging artists. And it is why, as detailed above, we continue to look at what more can be done to make touring and working in the EU easier. This government supports our young and emerging artists across the UK through a range of export support programmes, including the successful Music Export Growth Scheme and International Showcase Fund, which help music SMEs break into international markets. The Department for International Trade has also set up a new [Export Support Service](#) where UK artists can get answers to practical questions about working in Europe by accessing cross-government information and support all in one place.

Finally, you request the Government use the TCA's governance structures to raise some of the above issues. The TCA committees are principally responsible for ensuring effective implementation of the TCA, and resolving instances of non-compliance. You will be aware that the UK Government raised touring during the inaugural meeting of the UK-EU Partnership Council, and the inaugural meeting of the UK-EU Trade Specialised Committee on Services, Investment and Digital, with a view to promoting our diplomatic efforts with Member States on visas and work permits. We continue to work with industry, including the creative sectors, on issues that we should raise in these fora.

Thank you for writing on this matter. I hope my response is helpful and that you are reassured that by continuing to work across government, in collaboration with stakeholders, and directly with Member States, we can support the music and wider creative sectors to tour with confidence.

With Best Wishes,



Julia Lopez MP
Minister of State
Minister for Media, Data and Digital Infrastructure