

Community  
Legal Service



# COVENTRY LAW CENTRE

## IMMIGRATION

### Working Holidaymakers

**This leaflet explains what the Immigration Rules say about working holidaymakers. They are only a guide and aim to answer frequently asked questions.**

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### ***What is the working holidaymaker scheme?***

The working holidaymaker scheme is an arrangement where a person aged between 17 and 27 can come to the United Kingdom for an extended holiday for up to two years and may do part-time or casual work. Work must not be the main reason for your visit.

### ***How do I qualify as a working holidaymaker?***

You qualify as a working holidaymaker if:

- you are a Commonwealth citizen, British Dependent Territories citizen or British Overseas citizen;
- you want to come to the United Kingdom for an extended holiday;
- you are single or are married to a person who also qualifies as a working holidaymaker and you plan to take a holiday together;
- you do not have any dependent children who are aged five years or over, or who will be five before you complete your holiday;
- your holiday, and not work, is the main reason for your visit;
- you can support and accommodate yourself without help from public funds;
- you can pay for your onward journey; and
- you plan to leave the United Kingdom at the end of your holiday.

You must get entry clearance as a working holidaymaker before you travel to the United Kingdom.

### ***What are public funds?***

If you come to live or stay in the United Kingdom, you must be able to support and accommodate yourself without claiming certain state benefits. These are:

- Income Support and Jobseeker's Allowance (JSA);
- housing and homelessness assistance;
- Housing Benefit and Council Tax Benefit;
- Working Families Tax Credit;
- a social fund payment
- Child Benefit, or
- any disability allowance.

### ***How long can I stay?***

You can only stay in the United Kingdom for two years as a working holidaymaker. The Home Office will count any time you spend outside the United Kingdom during that period as part of the two years.

### ***What type of work can I do?***

You can only do part-time or casual work. You may not do any business, provide services as a professional sports person or entertainer or follow a career. You cannot take full-time work, even on a casual basis, for more than half your stay. For the purpose of working holidaymakers, full-time work is more than 25 hours a week.

### ***Can I extend my stay as a working holidaymaker?***

You can apply to extend your stay, if:

- you entered the United Kingdom with valid United Kingdom entry clearance as a working holidaymaker; and
- an extension of your stay would not take your stay beyond two years from the date you were first given permission to enter.

The Home Office will not give you permission to stay as a working holidaymaker if you did not enter the United Kingdom with an entry clearance as a working holidaymaker.

### ***How do I apply?***

You will need to complete an application form. Applications (except those for asylum and work permits or under European Community law) will not be valid unless they are made on the appropriate application form. You can get copies of application forms from Coventry Law Centre.

To apply for further leave to remain, please use form FLR(O).

Please contact the Coventry Law Centre if you require an application form.

You should send the form to the Home Office by post, before your permission to stay ends. The application form will give you details of **all** the documents you will need to send with your application and where you should send it.

If you need to travel urgently, you can apply in person at one of the Immigration & Nationality Directorate's public enquiry offices.

All documents should be originals unless you have a good reason why you cannot produce them with your application. The Home Office will not normally accept photocopies.

### ***What is entry clearance?***

Entry clearance is a visa or entry clearance certificate that you are given so that you can travel to the United Kingdom. You must apply for entry clearance to the British Embassy, High Commission or other Diplomatic Mission (known as British Diplomatic Posts) in the country where your child lives.

You can get advice about which British Diplomatic Posts can issue entry clearance from any British Diplomatic Post abroad.

You can get guidance leaflets and information about visas from Coventry Law Centre.

Coventry Law Centre offers free legal advice and representation.

## **APPEALS**

The Law Centre will advise you about appealing and may represent you at the hearing. You can contact the Law Centre for an appeal appointment or telephone our free legal advice line on Tuesdays and Thursdays between 10:00am and 12:00noon on 024 76253168.