

October 2023

**Culture, Communications, Welsh Language, Sport, and International Relations
Committee - Culture and the New Relationship with the EU Inquiry**

UK Music Response

Introduction

1. UK Music is the collective voice of the UK's world-leading music industry. UK Music represents all sectors of the music industry – bringing them together to collaborate, campaign and champion music. A full list of UK Music members can be found in Annex A.
2. Music represents the best of British to the world. The UK is the largest exporter of recorded music in the world after the USA and one of only three net exporters of music. Our musicians and songwriters define the global soundtrack and shape our global reputation. Around 1 in 10 of all tracks streamed globally are by a British artist.
3. A crucial part of this success is the UK's relationship with the EU, which remains a vitally important overseas market for British music creators. Even with a lack of international touring in 2021, music creators reported that 50% of their export income comes from the EU across all income streams.
4. The Trade and Cooperation Agreement (TCA) failed to cover many aspects of cultural touring, creating several new barriers and costs for UK musicians wishing to tour the EU. According to a 2023 UK Music survey, 82% of British musicians said their earnings had decreased because of Brexit. Meanwhile, 43% of musicians surveyed said it is no longer viable for them to tour EU nations.¹
5. To combat these issues, UK Music is calling on the Government to agree to a Cultural Touring Agreement with the EU, potentially as part of the anticipated 2026 Trade and Cooperation Agreement (TCA) review. Key issues facing musicians that require resolution in any Cultural Touring Agreement include:
 - Visas and Work Permits
 - Carnets and CITES
 - Merchandise
 - Cabotage

¹ [UK Music, Brexit Survey 2023](#)

Visas and Work Permits

6. Since the UK's departure from the EU, British passport holders have been categorised as third-country nationals. Consequently, they must abide by the Schengen area access rules which allow visa-free access into the Schengen area for a maximum of 90 days in 180.
7. The ability of UK citizens to work within this 90-day limit is at the discretion of each EU member state. And, even where a formal visa or work-permit is not required, individual countries may have additional restrictions. Artists and crew therefore face the expensive and time-consuming challenge of navigating multiple systems when touring Europe.
8. Three EU member states (Portugal, Malta, and Cyprus) may require work permits for musicians and performers. Following negotiations, 24 EU member states now allow some permit/visa free working. However, it is essential to note that the duration of visa-free touring varies from one country to another and often falls well below the 90 days in 180-day limit.
9. The restriction on UK nationals to spend no more than of 90 in 180 days in the Schengen area is particularly concerning. This timeframe includes both recreational and work-related activities and is insufficient for many in the sector. Performances often necessitate extensive rehearsal, touring, or extended runs, making this restriction particularly challenging for a range of professionals, from tour managers and bus drivers to caterers and opera singers.
10. It is now more onerous for European venues and festivals to book UK artists due to the associated costs and administration. As a result, UK artists and crew are increasingly losing out to EU based alternatives.
- 11. Any new cultural touring agreement with the EU must include a visa and work permit waiver for musicians and music workers.**

Carnets

12. An ATA Carnet, often referred to as a “passport for goods”, is an international customs document that allows for the temporary importation of goods into a foreign country without paying duties and taxes.
13. Before Brexit, free movement of goods between the UK and EU meant that customs documents such as carnets were not required. However, they are now a necessity in the post-Brexit era. The requirement for a carnet has had particularly significant on musicians who need to transport equipment and kit for overseas performances and tours.
14. A carnet, required for unaccompanied instruments, costs c£300 per shipment alongside VAT and a security deposit. This acts essentially as a tax on touring. These costs can quickly spiral, particularly for orchestras, whose carnet costs can range between £2000 and £5000.

15. Beyond the cost, the process of acquiring a carnet is bureaucratic, rigid, and a time burden. Carnets must be sourced well in advance of any travel and need to be signed by border officials at a specific place (the process can take up to four hours). Inconsistent application of the rules by border guards also leads to many artists being turned away or delayed at the border.
16. Difficulties with border officials applying rules inconsistently have been noted at the link between Holyhead and Dublin which is one of the key links between Wales and the EU.
- 17. A cultural touring agreement with the EU must include a waiver on carnets.**

CITES and Musical Instrument Certificates

19. Certain instruments contain parts of plants or body parts (e.g., rosewood and ivory) from endangered species whose export is controlled. These instruments now require a CITES (Convention on International Trade in Endangered Species) permit (known as a Musical Instrument Certificate), in addition to a carnet, to enter the EU.
20. CITES require a check in on entry and exit, which can only be done at certain Designated Ports of entry, effectively barring some artists from certain forms of transport into the EU.
21. For example, many artists use the Eurostar as an entry point into the EU, but Eurostar St Pancras is not a Designated Port for CITES instruments which cuts off an economic and more ecological route for musicians. The penalties for not sticking to the rules can be severe. A CITES breach can carry up to a seven-year jail sentence. In addition, instruments can be seized and destroyed.
- 22. The Government should expand the number of points where documents like carnets and Musical Instrument Certificates can be checked, including making Eurostar St Pancras a CITES-designated port. Border force training on these documents should also be improved.**

Merchandise

23. For smaller bands and artists, selling merchandise can be the difference between a tour being viable or not. The sale of CDs, t-shirts, and other merchandise at gigs is a vital revenue stream. However, increased costs and new bureaucracy are making this increasingly difficult.
24. Artists need to register as an exporter, secure an Economic Operators Registration and Identification (EORI) number, and register for VAT in each market visited. One band, Tankus the Henge, told the BBC that the additional costs resulted in them missing out on £2,500 worth of merchandise sales on their tour of France in summer 2020.

25. These costs are enough to deter many artists from touring. One artist surveyed by UK Music said that additional costs on merchandise make touring the EU “not commercially viable, even for artists with an average audience of 1500 people”.
26. The impact also extends to artists shipping merchandise sold online. Frequently, merchandise is delayed and held up at customs, while additional import charges lead to postal fees that consumers are unwilling to pay.
- 27. The Government should work to streamline processes around exporting merchandise and VAT registration, as well as working reduce additional charges on merchandise being imported to the EU.**

Cabotage

28. Cabotage refers to the practice of transporting freight between two places within the same country by foreign-registered trucks. Previously, EU rules allowed UK trucks to operate freely in the EU, but new restrictions are in place following Brexit.
29. Before the UK left the EU, the UK was the centre of the European event haulier industry. This position is now under threat as many UK companies relocate or lose out to EU competitors not bound by the same cabotage restrictions on movement.
30. New cabotage rules mean UK trucks are allowed to make three stops in the EU: one initial movement, and two onward ones. Therefore, many tours cannot use UK flagged trucks, or will have to reroute their truck back to the UK every three stops, at huge time and financial cost.
31. Many orchestras work as ‘Own Account’ operators running their own customised vehicles to ensure the safe transport of valuable instruments. This activity now faces additional restrictions, leaving specialist vehicles idle while orchestras rack up prohibitive bills renting EU based alternatives. Some orchestras are paying up to £20,000 for replacement EU flagged vehicles.
32. In the long term, this threatens the viability of the current number of UK based specialist touring hauliers. Many are now choosing to base themselves in the EU, leading to specialist equipment and opportunities going as well, with large tours preferring to be based in the EU with the UK as a leg of the tour, as opposed to the UK being a base.
33. In May 2022, the UK Government announced new measures to support events hauliers in moving their vehicles more freely between the UK and EU. The new rule, called ‘dual registration’, allows the five biggest haulage firms to set up dual bases in EU and UK. However, this change is only available to the largest operators who have the resources to set up a European base, re-qualify their drivers, and split their fleets between the UK and EU. Most haulage companies are unable to take

advantage of this, and it therefore fails to provide an adequate solution to the problem.

34. A Cultural Touring Agreement should include an exemption from cabotage restrictions for registered specialist event hauliers travelling in the UK and the EU.