



DGA DIRECTORS WORKING IN THE UK



A guide to engaging 1st Assistant Directors in the UK on productions bound by the AMPTP/DGA Contract

Why does a production insist on using a US Directors Guild of America (DGA) 1st AD?

The DGA is a very influential craft union in America and currently has agreements with Association of Motion Picture and Television Producers (AMPTP). The employers' organisation represents the studios, networks, and production companies. The AMPTP/DGA contract stipulates that under rule BA 17-201 when employing a DGA Director you must also engage a U.S 1st AD.

What are the UK immigration rules?

If a US production wants to bring a non-UK 1st AD into the UK, it will need to go through the relevant process for obtaining a work permit in the territory concerned. The film industry has its own Code of Practice that has been negotiated with the UK Border Agency.

Furthermore, crew employed to work in the UK are covered by the same labour migration arrangements managed and operated by the UK Border Agency. In some cases (e.g., where there is a strong 'continuity' argument), UK Border Agency rules may allow a production to bring a 1st AD into the UK. For this reason, if an employer seeks to engage a non-UK 1st AD, the Code requires the UK Border Agency to consult with Bectu to get a second opinion on whether the rules are being applied correctly.

The Home Office must notify Bectu promptly of the issuing of certificates of sponsorship for 1st ADs and Bectu may request sight of the evidence in support for such grades. It is Bectu's policy that – wherever there isn't a valid reason under UK Border Agency rules, and there is a suitable UK-based 1st AD who could fill a role in question, that permission to work in the UK should not be granted.

Is it the case that that the DGA can impose 'fines' on productions?

Many productions are bound by the terms of the AMPTP/DGA agreement. Subject to those terms, if there is a failure to request a waiver, the DGA can ask for a penalty payment to cover the salary, accommodation, flights etc which would have incurred had the production employed one of their members.

How can Bectu help?

To avoid these costs, it's imperative that the production contact Bectu if they intend using a UK based 1st AD when also employing a DGA Director.

If a production wishes to engage a UK-based 1st AD, Bectu can issue a waiver letter which releases the production from the contractual obligation to engage a DGA 1st AD. The DGA recognises Bectu as the appropriate regulatory agency under their rules. This will allow the production to avoid any of the penalty payments that would normally be due for employing a non-DGA 1st AD.

This is a quick and easy process and most importantly allows the engagement of a UK based 1st AD regardless of DGA membership.

Do you have a question?

If production companies need advice about the arrangements for issuing a waiver letter, please email Spencer MacDonald at smacdonald@bectu.org.uk or Claire Haywood at chaywood@bectu.org.uk

bectu.org.uk/join