



Home Office

UK Border Agency

APPLICATION FOR AN ACCESSION WORKER CARD IN THE UNITED KINGDOM FOR A BULGARIAN OR ROMANIAN NATIONAL

This form must be accompanied by:

- Your **original** valid passport or ID card; and
- Two recent passport-sized photographs of yourself; and
- **Original** versions of all required documents.

Failure to comply with these requirements may lead to delays in processing your worker card and possible refusal of your application.

You must not start work until you receive your Accession worker card. If you are prosecuted and convicted of working without an Accession worker card you could face imprisonment for up to 3 months or a fixed penalty of £1000.

Once you have completed this application form you should send it alongside all required documents to:

**UK Border Agency
Bulgaria and Romania Caseworking
PO Box 4160
Sheffield
S1 9DZ**

BR(3)

Version 12/2008

You should complete this application form if:

You are a Bulgarian or Romanian national intending to take employment in the United Kingdom who is subject to the requirement to hold an Accession Worker Card

This form is to be used for applications made on or after 19 November 2007

Quick Guidance for Applicants – which sections of the form do I need to complete?

For full guidance please refer to the guidance notes for Bulgarian and Romanian nationals on obtaining permission to work in the UK (available from our website www.ukba.homeoffice.gov.uk/eucitizens).

All applicants must read section 1 and complete sections 2, 12, 13 and 14.

If you are applying as the **holder of a letter of approval** issued to your employer by the UK Border Agency under the work permit arrangements please also complete section 3.

If you are applying as a member of the **airport-based operational ground staff** of an overseas airline please also complete section 4.

If you are applying as an employee of an **overseas government or international organisation** please also complete section 4.

If you are applying as a representative of an **overseas newspaper, news agency or broadcasting organisation** please also complete section 4.

If you are applying as an **Au pair** please also complete section 5.

If you are applying as a **domestic worker** in a **private household** please also complete section 6.

If you are applying as a **private servant** in a **diplomatic household** please also complete section 6.

If you are applying as a **minister of religion, missionary or member of a religious order** please also complete section 7.

If you are applying as a **sole representative** of an overseas business please also complete section 8.

If you are applying as a **teacher or language assistant** on an exchange scheme please also complete section 9.

If you are applying as an **overseas qualified nurse or midwife** undertaking a period of supervised practice or adaptation training please also complete section 10.

If you are applying as a **postgraduate doctor, dentist or trainee general practitioner** please also complete section 11.

BR(3)

Version 12/2008

Please indicate which category you are applying under by ticking one of the boxes below:



1.1 If one of the following applies to you, you do not need to obtain an Accession worker card for the purpose of employment in the United Kingdom:

- you hold a valid work card issued under the Seasonal Agricultural Workers Scheme;
- you are working in a self employed capacity;
- you have leave to enter under the Immigration Act 1971 and that leave does not place any restrictions on taking employment in the United Kingdom;
- you have been legally working in the United Kingdom for a period of 12 months or more without interruption;
- you are providing services in the United Kingdom on behalf of an employer established elsewhere in the European Economic Area (EEA);
- you are a citizen of the United Kingdom, Switzerland or another EEA state, other than Bulgaria or Romania;
- you are the spouse or civil partner of a British citizen or person settled in the United Kingdom.

1.2 You may also be exempt from the requirement to obtain an Accession worker card if you are the family member of a EEA or Swiss national who is working in the United Kingdom or who is a student, self-employed or self-sufficient individual. If your family member ceases to be a worker, student, self-employed or self-sufficient individual, you may become subject to worker authorisation.

However, if you are the family member of a Bulgarian or Romanian worker who holds an Accession worker card you will require an Accession worker card of your own if you wish to take employment. You will also require an Accession worker card if your family member is only exempt because he or she is the family member of a Bulgarian or Romanian person who is self-employed, self sufficient or a student. So, for example, if your Bulgarian or Romanian spouse is only exempt because you are self-employed, you will require an Accession worker card if you want to work.

If you are the family member of a Bulgarian or Romanian worker who holds an Accession worker card you will be an 'authorised family member', unless the worker is working as an au pair, a seasonal agricultural worker or under the Sectors Based Scheme. You will not be an 'authorised family member' if your family member obtained an Accession worker card as an authorised family member i.e. you cannot be the authorised family member of an authorised family member.

If you are an authorised family member you will not have to satisfy the relevant requirements for the category of work concerned in order to obtain an Accession worker card. In this case you should apply using form BR(4). In all other cases you will need to satisfy the relevant requirements and should use this form.

SECTION 2 Your details

Your personal details should be entered at **2.1** to **2.8**.

Is a representative assisting you with your application?

Yes No

Are you content for the UK Border Agency to contact your representative if we require further information?

Yes No

If yes please insert their OISC Registration Number if they have one.

Attach applicant's photographs here

2.1 Title (Mr, Mrs, Miss, Ms, Other)

Full name as shown on ID card or passport

Surname

Family name or any other names by which you have been known

2.2 Nationality

2.3 Date of Birth

Day	Month
-----	-------

Year

Gender

M

F

2.4 Home Office reference number if known

2.5 Passport number or ID card number

2.6 UK address

Please inform us immediately if this changes

Postcode

2.7 Daytime telephone number

2.8 The address to which you would like us to return your documents and send any letters about your application, if different from that at **2.6**

Postcode

SECTION 3 Work permit letter of approval

3.1 I have an offer of employment in the United Kingdom and my employer has been issued with a letter of approval by the UK Border Agency under the work permit arrangements:

You must provide the letter of approval (please tick the box)

Please now complete sections 12, 13 and 14

SECTION 4 Airport operational staff, Overseas Government employee or Representative of an overseas newspaper

4.1 I will be employed in the United Kingdom as (please tick the relevant box):

- a member of the airport-based operational ground staff of an overseas airline as a station manager, security manager or technical manager; or
- an employee of an overseas government or international organisation of which the United Kingdom is a member; or
- a representative of an overseas newspaper, news agency or broadcasting organisation on a long-term assignment.

You must enclose with this application a letter from your employer setting out the details of your posting. This must include the name and address of your employer and the nature of the work that you will undertake in the United Kingdom.

Please now complete sections 12, 13 and 14

SECTION 5 Au Pair

5.1 I have, and intend to take up, a placement as an au pair in the United Kingdom (please tick the box):

5.2 I am coming to the UK for the purpose of learning English (please tick the box):

5.3 I am unmarried, am not in a civil partnership and have no dependants (please tick the box):

You must enclose with this application a letter from the family that you will stay with as an au pair in the United Kingdom. This letter should confirm that:

- **you will help in the home in which you are being placed for up to five hours a day;**
- **you will get at least two days off a week;**
- **you will get an allowance and your own room; and**
- **you are being placed with an English speaking family.**

Please now complete sections 12, 13 and 14

SECTION 6 Domestic worker or Private servant

- 6.1 I will be employed in the United Kingdom as a domestic worker in a private household or as the private servant in a diplomatic household (please tick the box):

You must enclose with this application a letter from your employer setting out the details of your employment and confirming that you have been employed by your employer overseas (unless you are being employed in a diplomatic household) for at least one year as a domestic worker under the same roof as your employer, or in a household that your employer uses on a regular basis. If you will be employed as a private servant of a member of staff of a diplomatic or consular mission, your employer's letter should confirm that he or she enjoys privileges and immunity within the meaning of the Vienna Convention on Diplomatic and Consular Relations.

Please now complete sections 12, 13 and 14

SECTION 7 Minister of Religion, Missionary or Member of a Religious Order

- 7.1 I will be employed in the United Kingdom as a minister of religion, missionary or member of a religious order (please tick the box):
- 7.2 I have been working for a period of at least one year in the last five as a minister of religion **or**;
- 7.3 I have been ordained as a minister of religion following at least one year's full time or two year's part time training for the ministry.

You must enclose with this application form a letter from your employer, or from the leadership of your church or the head of your religious order, confirming the details of your employment in the United Kingdom. You should also provide evidence that you have worked for at least one year in the last five as a minister of religion or provide evidence that you were ordained as a minister of religion following ones years full time or two years part time training. You should also provide an International English Language Testing certificate certifying that you have achieved level 4 competence in spoken English and dated no more than 2 years prior to your application.

Please now complete sections 12, 13 and 14

SECTION 8 Sole Representative

- 8.1 I will be employed in the United Kingdom as the sole representative of a business that has its headquarters and principal place of business outside the United Kingdom (please tick the box):
- 8.2 I am not a majority shareholder in the business that I will represent in the United Kingdom (please tick the box):

You must enclose with this application a letter from your employer setting out the details of your employment in the United Kingdom. This should confirm that the business that you will represent has no existing branch, subsidiary or other representative in the United Kingdom. It should also confirm that you will work as a senior employee with full authority to take operational decisions on behalf of that business for the purposes of establishing and operating an overseas branch of that business.

Please now complete sections 12, 13 and 14

SECTION 9 Teacher or Language Assistant

- 9.1 I will be employed in the United Kingdom at an educational establishment in the United Kingdom on an exchanged scheme approved by the Department for Education and Skills, the Scottish or Welsh Office of Education or the Department of Education, Northern Ireland, or administered by the British Council's Education and Training Group (please tick the box):

You must enclose with this application a letter from your employer in the United Kingdom confirming the details of this exchange.

Please now complete sections 12, 13 and 14



SECTION 10 Overseas qualified Nurse or Midwife

10.1 I will be undertaking in the United Kingdom a period of supervised practice as a nurse or adaptation training as a midwife leading to registration with the Nursing and Midwifery Council (please tick the box):

10.2 I have obtained confirmation from the Nursing and Midwifery Council that I am required to undertake an approved period of adaptation or an approved return to practise programme (please tick the box):

You must enclose a copy of this confirmation with this application

10.3 I have been offered, and intend to take up, a supervised practice placement through an education provider that is recognised by the Nursing and Midwifery Council or a midwifery adaptation programme in a setting approved by that Council (please tick the box):

You must enclose with this application a letter from the establishment at which you will undertake your supervised practice or adaptation programme confirming your offer of a placement.

Please now complete sections 12, 13 and 14

SECTION 11 Postgraduate Doctor, Dentist or Trainee General Practitioner

11.1 I will be employed in the United Kingdom as a postgraduate doctor, dentist or general practitioner in a training position (please tick the box):

You should provide:

- evidence confirming that you are a graduate from a UK medical or dental school who is eligible for provisional or limited registration with the General Medical Council or General Dental Council, or a doctor, dentist or trainee general practitioner eligible for full or limited registration with the General Medical Council or the General Dental Council; and
- a letter from your employer confirming that you have been offered a Foundation Programme placement.
- a letter from the resident postgraduate dean responsible for your training.

Please now complete sections 12, 13 and 14

SECTION 12 Personal History – All applicants should complete this section

You must answer all the questions in this section on behalf of yourself and any family members included in this application. It is an offence under Section 26(1)(c) of the Immigration Act 1971 to make a statement or representation which you know to be false or do not believe to be true. Information will be checked with other agencies.

12.1 Do you have any criminal convictions in the UK or any other country (including traffic offences) or any civil judgements made against you? Yes No

If you have answered **Yes** to question 12.1 above please give details below for each sentence starting with the most recent one first - but first see **Note 1** below. If you have received more than two sentences you should continue on another sheet. If you have answered **No** please go to Question 12.2.

Note 1: Convictions spent under the Rehabilitation of Offenders Act 1974 need not be disclosed. More information about this Act is given at 12.7

First sentence

Name of person sentenced

Nature of offence

Date sentenced

Sentence given

Country where sentenced

Day	Month	Year	Year
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Second sentence

Name of person sentenced

Nature of offence

Date sentenced

Sentence given

Country where sentenced

Day	Month	Year	Year
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12.2 Have you ever been charged or indicted inside or outside the United Kingdom with a criminal offence for which you have not yet been tried in court? Yes No

12.3 Have you ever been involved in the commission, preparation or organisation of war crimes, crimes against humanity or genocide? **For help in answering this question please read the information at 12.7** Yes No

12.4 To your knowledge, have you ever been suspected, accused, investigated, charged, prosecuted or convicted for involvement in war crimes, crimes against humanity or genocide? **For help in answering this question please read the information at 12.7** Yes No

12.5 Have you ever been involved in acts of committing, preparing, financing or instigating terrorism or acts of encouraging or inducing others to commit, prepare or instigate terrorism, or the attempt of any such acts, either within or outside the UK? Or have you ever been a member or supporter of an organisation which has perpetrated or supported acts of terrorism in furtherance of its aims? Yes No

12.6 Have you engaged in any other activities which might be relevant to the question of whether you are person of good character? Yes No

12.7 If you have answered **Yes** to any question between 12.1 to 12.6 please give further details in the space provided below. If you need more space, continue on a separate sheet.

REHABILITATION OF OFFENDERS ACT 1974

The Rehabilitation of Offenders Act 1974 enables criminal convictions to become 'spent' or ignored after a 'rehabilitation period'. The length of the rehabilitation period depends on the sentence given. For a custodial (prison) sentence the rehabilitation period is decided by the original sentence, not the time served. Prison sentences of more than two and a half years can never become spent and should always be disclosed. Further information on rehabilitation periods can be found at Nacro's Resettlement Plus Helpline on **0207 840 6464** or by obtaining a free copy of their leaflet on **0207 840 6427**.

DEFINITIONS

For the purposes of answering questions 12.3 and 12.4, the following information provides guidance on actions which may constitute genocide, crimes against humanity and war crimes.

This guidance is not exhaustive. Before you answer these questions on behalf of yourself and any dependants included in this application you should consider the full definitions of war crimes, crimes against humanity and genocide which can be found in Schedule 8 of the International Criminal Court Act 2001 at the following website: www.opsi.gov.uk/acts/acts2001/20010017.htm. Alternatively, copies can be purchased from The Stationery Office, telephone **0870 600 5522**.

It is your responsibility to satisfy yourself that you are familiar with the definitions and can answer the questions accurately on behalf of yourself and any dependants included in this application.

Genocide

Acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

Crimes against humanity

Acts committed at any time (not just during armed conflict) as part of a widespread or systematic attack, directed against any civilian population with knowledge of the attack. This would include offences such as murder, torture, rape, severe deprivation of liberty in violation of fundamental rules of international law and enforced disappearance of persons.

War crimes

Grave breaches of the Geneva Conventions committed during an armed conflict. This includes an internal armed conflict and an international armed conflict. The types of acts that may constitute a war crime include wilful killing, torture, extensive destruction of property not justified by military necessity, unlawful deportation, the intentional targeting of civilians and the taking of hostages.

SECTION 13 Documentary evidence

The documents and photographs needed in support of an application on form BR3 are listed below. You should provide those which are relevant to your case and the cases of any family members included in the application.

Tick the boxes in section 13.1 next to the relevant items to show the documents and photographs you are providing. You must also tick one of the boxes in sections 13.2 to 13.6 next to the category in which you are applying and provide all relevant documents listed in that section.

You should attach both photographs to section 2 of the form in the spaces provided. The Bulgarian and Romanian guidance notes contain more information about photographs.

13.1 Two recent passport size photographs of yourself with your name written on the back of each photograph.

Your current passport or ID Card. If you last entered the UK on a previous passport or travel document, please also provide this document if you have it.

13.2 **If you are applying as the holder of a letter of approval issued to your employer by the UK Border Agency under the work permit arrangements**

A copy of that letter of approval.

13.3 **If you are applying as an overseas qualified nurse or midwife**

Evidence that you have obtained confirmation from the Nursing and Midwifery Council (NMC) that you have been accepted on the Overseas Nurses Programme; and

Evidence that you have been offered a supervised practice placement or adaptation training through an education provider that is recognised by the NMC.

13.4 **If you are applying as a postgraduate doctor or dentist**

Evidence that you have obtained a recognised UK degree in medicine or dentistry from an appropriate UK institution; and

Evidence that you have been offered a Foundation Programme placement.

13.5 **If you are applying as an au pair**

A letter from the family you are staying with giving details of your employment.

SECTION 13 Documentary evidence (continued)

13.6

If you are applying in any other category of employment, please enclose the evidence specified in sections 4, 6, 7, 8, and 9 of this form

	Included
• Airport based operational staff of an overseas owned airline	<input type="checkbox"/>
• Overseas government employee	<input type="checkbox"/>
• Representative of an overseas newspaper, news agency or broadcasting organisation	<input type="checkbox"/>
• Private servant in a diplomatic household	<input type="checkbox"/>
• Domestic worker in a private household	<input type="checkbox"/>
• Minister of religion, missionary or member of a religious order	<input type="checkbox"/>
• Sole representative	<input type="checkbox"/>
• Teacher or language assistant coming under an approved exchange scheme	<input type="checkbox"/>

SECTION 14 Applicant's declaration

Please now read and sign the declaration

14.1 It should be signed by you (the applicant) and not by a representative or other person acting on your behalf. If you are under 18, your parent or guardian may sign.

I hereby apply for an Accession Worker Card.

The information I have given in this form is complete and is true to the best of my knowledge.

I declare that the photographs submitted with this form are a true likeness of myself, as named on the back of each photograph.

I confirm that if, before this application is decided, there is a material change in my circumstances or new information relevant to this application becomes available, I will inform the UK Border Agency.

I understand that all the information provided by me to the UK Border Agency will be treated in confidence but that it may be disclosed to other government departments, agencies, local authorities, the police, foreign governments and other bodies for immigration purposes or to enable them to perform their functions.

I understand that the UK Border Agency may also use the information provided by me for training purposes.

I agree to co-operate with UK Border Agency officials, or any other officials charged by the Secretary of State for the Home Department, with conducting pre issue and post issue checks on compliance with the Accession worker card.

I understand that it is a criminal offence to seek to obtain an Accession Worker Card by deception.

Signed

Name (CAPITALS please)

Date
