



Home Office

Bulgarian and Romanian casework – tell applicant of decision or action

This guidance is based on the Accession (Immigration and Worker Authorisation) Regulations 2006 and the Immigration (European Economic Area) Regulations 2006.

Bulgarian and Romanian casework

About this guidance

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This guidance tells you how to tell a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national, of any decision or action on their application for worker authorisation or residence documentation.</p> <p>The application will be for a:</p> <ul style="list-style-type: none"> • blue or yellow registration certificate • purple accession worker card (AWC) • family member residence stamp, or • residence card. <p>The decision will be to:</p> <ul style="list-style-type: none"> • grant their application, or • refuse their application. <p>The action will be to:</p> <ul style="list-style-type: none"> • ask for more information about their application, or • revoke their registration certificate or residence card. <p>This guidance is based on the Immigration (European Economic Area) Regulations 2006 and Accession (Immigration and Worker Authorisation) Regulations 2006, and relevant amending regulations. See related links.</p> <p>For background to the policy on applications from Bulgarian and Romanian nationals, see related link: Background to Bulgarian and Romanian casework policy.</p> <p>For key facts for Bulgarian and Romanian casework, see related link: Key facts: Bulgarian</p>	<p>In this section</p> <p>Changes to this guidance</p> <p>Contact</p> <p>Information owner</p> <p>Links to staff intranet removed</p>
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	<p>and Romanian casework.</p> <p>Changes to this guidance – This page tells you what has changed since the previous version of this guidance.</p> <p>Contact – This page tells you who to contact for help if your senior caseworker or line manager can't answer your question.</p> <p>Information owner – This page tells you about this version of the guidance and who owns it.</p> <p>Safeguard and promote child welfare – This page explains your duty to safeguard and promote the welfare of children and tells you where to find more information.</p>	<p>Links to staff intranet removed</p>
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This guidance is based on the Accession (Immigration and Worker Authorisation) Regulations 2006 and the Immigration (European Economic Area) Regulations 2006

		Links to staff intranet removed
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This guidance is based on the Accession (Immigration and Worker Authorisation) Regulations 2006 and the Immigration (European Economic Area) Regulations 2006

Bulgarian and Romanian casework

Changes to this guidance

Request further information Grant application Refuse application Revoke registration certificates and residence cards	This page lists changes to the Bulgarian and Romanian casework – tell applicant of decision or action guidance, with the most recent at the top.		Related links Contact Information owner External links
	Date of the change	Details of the change	
	30 May 2013	Six month review by the modernised guidance: <ul style="list-style-type: none">• Minor housekeeping changes.	
	4 February 2013	Guidance modernised by the modernised guidance team.	

Bulgarian and Romanian casework

Request further information

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This section explains what you must do when you need to ask a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national, for further information on their application for worker authorisation or residence documentation.</p> <p>The application will be for a:</p> <ul style="list-style-type: none"> • blue or yellow registration certificate • purple accession worker card (AWC) • family member residence stamp, or • residence card. <p>Process for requesting further information</p> <p>This is also known as a brought forward (BF) case.</p> <p>Consider the application and write up full GCID notes recording evidence presented.</p> <p>Identify the correct request for further information letter to send, see related link: Request further information letters. Amend the text, being clear and specific about what you need, for example stating you want original documents.</p> <p>If it is not clear which category or Treaty right the applicant is applying under use request further information letter ICD.3593.</p> <p>Calculate the correct brought forward (BF) date by which the applicant must reply. The BF date is 10 working days from the date of the letter, taking into account any national bank holidays. You must write this in the letter. In your GCID notes and on the BF coversheet of the case you must record the BF date as 12 working days. The additional two days is to allow time for any internal delays.</p>	<p>In this section</p> <p>Request further information letters</p> <p>Links to staff intranet removed</p>
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	<p>You must send further information requests to the applicant or their representative. If you write to a college requesting further information about an applicant's college course, but the college does not respond, you cannot refuse the applicant for missing information as you have not given them the opportunity to provide the evidence.</p> <p>The BF date has passed or applicant has replied Once the BF date has passed or when the applicant has submitted further information, you must make a decision on the application. You must consider the original evidence, as well as any additional evidence provided as a result of your enquiries.</p> <p>You must only write to an applicant requesting further information once. In exceptional circumstances it may be necessary to write to an applicant more than once, but you must get agreement from a higher executive officer (HEO) or above before doing this.</p> <p>Applicant does not meet age requirement If you can see from the applicant's identity documents they do not meet the age requirement of the category they are applying in then you do not need to request further information. Categories with age requirements are:</p> <ul style="list-style-type: none"> • au pair placements • domestic workers in private households, and • private servants in diplomatic households. <p>For more information on the specific age requirements for these categories, see related links:</p> <ul style="list-style-type: none"> • Au pair placements • Age requirement for domestic workers and private servants. <p>Applicant does not have a work permit letter You may refuse applicants applying under the work permits scheme without requesting further information if:</p>	
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This guidance is based on the Accession (Immigration and Worker Authorisation) Regulations 2006 and the Immigration (European Economic Area) Regulations 2006

	<ul style="list-style-type: none">• they do not provide a work permit letter, and• there is no evidence of a work permit letter of approval, or application for a letter of approval, for them on Globe. <p>For guidance on using Globe, see related link: Globe navigational guidance.</p>	
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Bulgarian and Romanian casework

Request further information letters

Request further information

Grant application

Refuse application

Revoke registration certificates and residence cards

This page explains which letter you must send to ask a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national, for further information on their application for worker authorisation or residence documentation.

All the request further information letters are available through the document generation and printing (DGP) tool (also known as ‘Doc Gen’) in CID.

Application for blue registration certificate

Category	Request further information letter
Current leave to enter or remain	ICD.3360
Exempt family member of non-exempt individuals	ICD 3733
Highly skilled individual	ICD.3374
Spouse or civil partner	ICD.3371
Verify Treaty right	ICD.3381

Application for a yellow registration certificate

Category	Request further information letter
Self-employed person	ICD.3368
Self-sufficient person	ICD.3369
Vocational student	ICD.3372
Non-vocational student	ICD.3372

Application for a purple accession worker card (AWC)

Category	Request further information letter
Airport based ground staff	ICD.3358
Au pair placements	ICD.3359 (see note one below)

Related links

[Request further information](#)

	Authorised family members (dependant worker)	ICD.3376	
	Domestic workers in private households	ICD.3361 (see note one below)	
	Minister of religion, minister or member of a religious order	ICD.3362	
	Overseas government employees	ICD.3363	
	Overseas qualified nurses and midwives	ICD.3364	
	Postgraduate doctors, dentists and trainee general practitioners	ICD.3365	
	Private servants in diplomatic households	ICD.3366 (see note one below)	
	Representatives of overseas news organisations	ICD.3367	
	Sole representatives of overseas companies	ICD.3370	
	Teachers and language assistants	ICD.3373	
	Work permit employment (skilled employment)	ICD.3357 (see note two below)	
	Note one For guidance on when you do not need to request further information, see paragraph 'Applicant does not meet age requirement' of related link: Request further information.		
Note two For guidance on when you do not need to request further information, see paragraph 'Applicant does not have a work permit letter' of related link: Request further information.			

Bulgarian and Romanian casework

Grant application

Request further information
Grant application
Refuse application
Revoke registration certificates and residence cards

This page explains how you grant an application for worker authorisation or residence documentation from a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national.

The application will be for a:

- blue or yellow registration certificate
- purple accession worker card (AWC)
- family member residence stamp, or
- residence card.

GCID data for grant blue registration certificate

The following table tells you what ‘Outcome’ and ‘Stats Category’ values you must enter in GCID when granting a blue registration certificate application. This applies for all case types.

Data field	Value
Case Outcome	A2 Issue Registration Certificate – Blue Route
Stats Category	Reg Cert – Issue EEA Nat (A/C/D/S)

GCID data for grant yellow registration certificate

The following table tells you what ‘Outcome’ and ‘Stats Category’ values you must enter in GCID when granting a yellow registration certificate application. This applies for all case types.

Data field	Value
Case Outcome	A2 Issue Registration Certificate – Yellow Route
Stats Category	Reg Cert – Issue EEA Nat (A)

GCID data for grant accession worker card (AWC)

	<p>The following table tells you what ‘Outcome’ and ‘Stats Category’ values you must enter in GCID when granting an AWC application. This applies for all case types.</p> <table><tr><th>Data field</th><th>Value</th></tr><tr><td>Case Outcome</td><td>A2 Issue Registration Certificate – Purple Route</td></tr><tr><td>Stats Category</td><td>Reg Cert – Issue EEA Nat (A/C/D/S)</td></tr></table> <p>GCID data for grant family member residence stamp or residence card The following table tells you what ‘Outcome’ and ‘Stats Category’ values you must enter in GCID when granting a family member residence stamp or residence card application.</p> <table><tr><th>Case Type</th><th>Case Outcome</th><th>Stats Category</th></tr><tr><td>EEA Residence Card – Non EEA National</td><td>Issue Residence Card – Non EEA Family Member</td><td>Res Card – Issue dep of EEA Nat (C/D/S)</td></tr><tr><td>A2 Non-EEA Dependant (Purple)</td><td>A2 Issue Registration Certificate – Non - EEA Dependant</td><td>A2 Worker Reg Card - Issue</td></tr></table> <p>You must also enter an ‘Expiry Date’ value of five years from date of decision.</p>	Data field	Value	Case Outcome	A2 Issue Registration Certificate – Purple Route	Stats Category	Reg Cert – Issue EEA Nat (A/C/D/S)	Case Type	Case Outcome	Stats Category	EEA Residence Card – Non EEA National	Issue Residence Card – Non EEA Family Member	Res Card – Issue dep of EEA Nat (C/D/S)	A2 Non-EEA Dependant (Purple)	A2 Issue Registration Certificate – Non - EEA Dependant	A2 Worker Reg Card - Issue	
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Case Outcome	A2 Issue Registration Certificate – Purple Route																
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Bulgarian and Romanian casework

Refuse application

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This section explains how you refuse an application for worker authorisation or residence documentation from a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national.</p> <p>The application will be for a</p> <ul style="list-style-type: none"> • blue or yellow registration certificate • purple accession worker card (AWC) • family member residence stamp, or • residence card. <p>You must refuse applications from applicants who have not provided sufficient evidence to prove they meet the requirements of the category they are applying in.</p> <p>GCID data for refusing registration certificate and accession worker card</p> <p>The following table tells you what ‘Outcome’ and ‘Stats Category’ values you must enter in GCID when refusing an application for:</p> <ul style="list-style-type: none"> • a blue registration certificate • a yellow registration certificate • a purple accession worker card (AWC). <p>This applies for all case types.</p> <table border="1"> <thead> <tr> <th>Data field</th><th>Refusal reason</th><th>Value</th></tr> </thead> <tbody> <tr> <td>Case Outcome</td><td>Any</td><td>A2 Refuse Registration Certificate</td></tr> <tr> <td>Stats Category</td><td>No ID</td><td>Reg Cert – Refuse no ID</td></tr> <tr> <td>Stats Category</td><td>Forged ID</td><td>Reg Cert – Refuse Forged ID</td></tr> <tr> <td>Stats Category</td><td>Criteria not met</td><td>Reg Cert – Refuse no EEA Treaty rights</td></tr> </tbody> </table>	Data field	Refusal reason	Value	Case Outcome	Any	A2 Refuse Registration Certificate	Stats Category	No ID	Reg Cert – Refuse no ID	Stats Category	Forged ID	Reg Cert – Refuse Forged ID	Stats Category	Criteria not met	Reg Cert – Refuse no EEA Treaty rights	<p>In this section</p> <p>Determine appeal rights</p> <p>Refusal letters</p> <p>Refuse with no right of appeal</p> <p>Refuse with right of appeal</p> <p>Refuse non-EEA national family member</p> <p>Refusal wording</p> <p>Appeals</p> <p>Reconsiderations</p>
Data field	Refusal reason	Value															
Case Outcome	Any	A2 Refuse Registration Certificate															
Stats Category	No ID	Reg Cert – Refuse no ID															
Stats Category	Forged ID	Reg Cert – Refuse Forged ID															
Stats Category	Criteria not met	Reg Cert – Refuse no EEA Treaty rights															

GCID data for refusing family member residence stamp or residence card

The following tables tell you what 'Outcome' and 'Stats Category' values you must enter in GCID when refusing a family member residence stamp or residence card application.

GCID case type: EEA Residence Card – Non EEA National

Data field	Refusal reason	Value
Case Outcome	Any	Refuse Residence Card – Non EEA Family Member
Stats Category	No ID (main applicant)	Res Card – Refuse no ID / Proof of Relationship
Stats Category	No ID (sponsor)	Res Card – Refuse no EEA ID
Stats Category	Forged ID	Res Card – Refuse EEA Forged ID
Stats Category	Criteria not met (main applicant)	Res Card – Refuse no ID / Proof of Relationship
Stats Category	Criteria not met (sponsor)	Res Card – Refuse no EEA Treaty Rights

GCID case type: A2 Non-EEA Dependant (Purple)

Data field	Refusal reason	Value
Case Outcome	Any	A2 Refuse Registration Certificate
Stats Category	Any	A2 Worker Reg card – Refuse

Refuse the application

You must write to the applicant to fully explain your reasons for refusing their application.

You must work out if your refusal will attract a right of appeal. You must follow different processes when refusing with a right of appeal or refusing with no right of appeal.

You must use the refusal letter appropriate to the type of application.

The applicant may appeal against your decision or request you reconsider your decision.

For guidance on what to do when refusing an application see related links:

- Determine appeal rights
- Refusal letters
- Refuse with no right of appeal
- Refuse with right of appeal
- Refuse non-EEA national family member
- Refusal wording
- Appeals
- Reconsiderations.

Bulgarian and Romanian casework

Determine appeal rights

Request further information

Grant application

Refuse application

Revoke registration certificates and residence cards

This page tells you how to work out the appeal rights when refusing an application from a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national, for worker authorisation or residence documentation.

The application will be for a

• blue or yellow registration certificate

• purple accession worker card

• family member residence stamp, or

• residence card.

This page also tells you the appeal rights when you revoke a Bulgarian or Romanian national's registration certificate or residence card.

The refusal process for cases with a right of appeal is different from the refusal process for cases with no right of appeal.

This table shows which case types may attract a right of appeal.

Refuse or revoke registration certificate (all types)	Refuse accession worker card (AWC)	Refuse or revoke residence card	Refuse family member residence stamp (FMRS)
May have a right of appeal	No right of appeal	May have a right of appeal	No right of appeal

If you are refusing an application for an AWC or a FMRS, you must refuse it with no right of appeal.

Related links

[Refusal letters](#)

[Refuse with no right of appeal](#)

[Refuse with right of appeal](#)

[Refuse non-EEA national family member](#)

[Refusal wording](#)

[Appeals](#)

[Reconsiderations](#)

Links to staff intranet removed

	<p>It is not possible to revoke an AWC or FMRS.</p> <p>Key points about appeal rights The guidance below summarises appeal rights when you are refusing to issue or revoking a:</p> <ul style="list-style-type: none"> • blue or yellow registration certificate, or • residence card. <p>Legal basis The legal basis for appeal rights is contained in regulation 26 of the Immigration (European Economic Area Regulations) 2006, as amended by:</p> <ul style="list-style-type: none"> • paragraph 20 of Schedule 1 to the Immigration (European Economic Area) (Amendment) Regulations 2012, and • paragraph 5 of the Schedule to the Immigration (European Economic Area) (Amendment) (No. 2) Regulations 2012. <p>See related links.</p> <p>European Economic Area (EEA) nationals All applicants claiming to be EEA nationals, including Bulgarian and Romanian nationals, must provide evidence of their EEA nationality to qualify for a right of appeal. This must be in the form of a valid national identity card or passport issued by an EEA state.</p> <p>If the applicant provides this document, they will have a right of appeal against the refusal or revocation of a registration certificate.</p> <p>If they fail to provide this evidence, there is no right of appeal. For exceptions, see below under: Alternative evidence of identity and nationality.</p> <p>Non-EEA nationals The evidence a non-EEA national must provide to have a right of appeal against the refusal or revocation of a residence card will depend on whether they claim to be either:</p>	
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	<ul style="list-style-type: none"> • an unmarried partner in a durable relationship with an EEA national, or • a family member or relative of an EEA national. <p>Unmarried partners Non-EEA nationals claiming to be in a durable relationship with an EEA national must provide the following evidence to qualify for a right of appeal:</p> <ul style="list-style-type: none"> • their own passport, and • either: <ul style="list-style-type: none"> ○ an EEA family permit, if they have been issued with one (for further information, see related link: European Economic Area (EEA) family permits), or ○ sufficient evidence to satisfy the Secretary of State they are in a relationship with an EEA national. <p>For further guidance, see related link: European operational policy notice - appeal rights for durable partners.</p> <p>Family members and relatives Non-EEA nationals claiming to be family members or relatives of an EEA national must provide the following evidence to qualify for a right of appeal:</p> <ul style="list-style-type: none"> • their own passport, and • either: <ul style="list-style-type: none"> ○ an EEA family permit, if they have been issued with one (for further information, see related link: European Economic Area (EEA) family permits), or ○ proof they are the family member or relative of an EEA national. <p>Proof the applicant is a family member or relative of an EEA national could include, but is not limited to:</p> <ul style="list-style-type: none"> • their birth, marriage or civil partnership certificate, as appropriate, and 	
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- evidence of the sponsoring EEA national's identity and nationality.

Alternative evidence of identity and nationality

Where the Regulations require the applicant to provide a valid nationality identity card issued by an EEA state, or a valid passport, you may accept alternative evidence if the applicant is unable to provide that document due to circumstances beyond their control.

For guidance, see related link: European operational policy notice - alternative evidence of nationality and identity.

Step guide if refusing or revoking a registration certificate or residence card

If you are refusing to issue, or deciding to revoke, a registration certificate (EEA national) or residence card (non-EEA national), follow the step guide below to work out if the applicant has a right of appeal.

If any family members are included in the application, follow the same process for each family member.

Step one: Does the applicant claim to be an EEA (including a Bulgarian or Romanian) national?

Yes	No
Go to step two.	Go to step three.

Step two: Has the applicant provided a valid national identity card or passport confirming they are a national of any EEA state (including Bulgaria or Romania)?

Yes	No
Applicant has a right of appeal. End of process.	No right of appeal. End of process.

Step three: Does the applicant claim to be in a durable relationship with an EEA national?

<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td>Go to step four.</td> <td>Go to step five.</td> </tr> </table>	Yes	No	Go to step four.	Go to step five.	
Yes	No				
Go to step four.	Go to step five.				
<p>Step 4: Has the applicant provided:</p> <ul style="list-style-type: none"> • their own passport, and • either: <ul style="list-style-type: none"> ○ their EEA family permit, or ○ sufficient evidence to show they are in a relationship with an EEA national? 					
<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td>Applicant has a right of appeal. End of process.</td> <td>No right of appeal. End of process.</td> </tr> </table>	Yes	No	Applicant has a right of appeal. End of process.	No right of appeal. End of process.	
Yes	No				
Applicant has a right of appeal. End of process.	No right of appeal. End of process.				
<p>Step five: Does the applicant claim to be the family member or relative of an EEA national?</p>					
<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td>Go to step six.</td> <td>No right of appeal. End of process.</td> </tr> </table>	Yes	No	Go to step six.	No right of appeal. End of process.	
Yes	No				
Go to step six.	No right of appeal. End of process.				
<p>Step six: Has the applicant provided:</p> <ul style="list-style-type: none"> • their own passport, and • either: <ul style="list-style-type: none"> ○ their EEA family permit, or ○ other proof they are related as claimed to the EEA national? 					
<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td>Applicant has a right of appeal. End of process.</td> <td>No right of appeal. End of process.</td> </tr> </table>	Yes	No	Applicant has a right of appeal. End of process.	No right of appeal. End of process.	
Yes	No				
Applicant has a right of appeal. End of process.	No right of appeal. End of process.				

Bulgarian and Romanian casework

Refusal letters

Request further information

Grant application

Refuse application

Revoke registration certificates and residence cards

This page tells you which refusal letter you must send to a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national, when you refuse their application for worker authorisation or residence documentation.

The application will be for a:

• blue or yellow registration certificate

• purple accession worker card (AWC)

• family member residence stamp, or

• residence card.

Refusal letters

You must send the applicant a refusal letter to fully explain your reasons for refusing their application and explaining what appeal rights they are entitled to and why. There is a different refusal letter for most case types, see tables below. You can access the relevant refusal letter through the document generation and printing (DGP) tool (also known as ‘Doc Gen’) in CID.

Blue registration certificate as an exempt person

Case type	Refusal letter
Current leave to enter or remain	ICD.3343
Non-EEA family member	ICD.3338
Family member of an exempt person	ICD.3343
Highly skilled individual	ICD.3347
Spouse/ civil partner	ICD.3351

Yellow registration certificate as a person exercising a Treaty right in the UK

Case type	Refusal letter
Self-employed individuals	ICD.3339

Related links

[Determine appeal rights](#)

[Refuse with no right of appeal](#)

[Refuse with right of appeal](#)

[Refuse non-EEA national family member](#)

[Refusal wording](#)

[Appeals](#)

[Reconsiderations](#)

	Self-sufficient individuals	ICD.3349	
	Students	ICD.3352	
Purple accession worker card (AWC)			
	Case type	Refusal letter	
	Airport based operational ground staff	ICD.3340	
	Au pair	ICD.3341	
	Authorised family member (dependant worker)	ICD.3342	
	Domestic workers in private households	ICD.3344	
	Ministers of religion	ICD.3348	
	Overseas government employment	ICD.3355	
	Overseas qualified nurses and midwives	ICD.3356	
	Postgraduate doctors, dentists and trainee general practitioners	ICD.3335	
	Private servants in diplomatic households	ICD.3336	
	Representative of an overseas newspaper, news agency or broadcasting organisation	ICD.3337	
	Sole representatives	ICD.3350	
	Teacher or language assistant	ICD.3353	
	Work permit employment (skilled employment)	ICD.3354	
Non-EEA national family member			
	Case type	Refusal letter	
	Family member residence stamp (FMRS) (non-EEA family member of an AWC holder)	ICD.3346	
	Residence card (non-EEA family member of an EEA national exercising a Treaty right)	ICD.3338	
Unknown case type			
	Case type	Refusal letter	
	Application for a registration certificate - unknown TR Reg Cert case type (full right of appeal)	ICD.3926	
	Application for an AWC – unknown TR AWC case type (no right of	ICD.3927	

This guidance is based on the Accession (Immigration and Worker Authorisation) Regulations 2006 and the Immigration (European Economic Area) Regulations 2006

	appeal)		
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Bulgarian and Romanian casework

Refuse with no right of appeal

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This page explains how you refuse, with no right of appeal, an application for worker authorisation or residence documentation from a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national.</p> <p>The application will be for a:</p> <ul style="list-style-type: none"> • blue or yellow registration certificate • purple accession worker card (AWC) • family member residence permit, or • residence card. <p>Eligibility</p> <p>Some types of applications do not attract a right of appeal. These include applications for purple accession worker cards (AWC) and family member residence stamps (FMRS).</p> <p>Some applications for blue and yellow registration certificates and non-European Economic Area (EEA) national family member residence cards may not attract a right of appeal. For example, if the applicant has not provided evidence of their, or their sponsoring family member's, identity or nationality.</p> <p>To decide if the refusal attracts a right of appeal, see related link: Determine appeal rights.</p> <p>Process for EEA nationals</p> <p>If you refuse an application from an EEA national with no right of appeal, you must:</p> <ul style="list-style-type: none"> • Enter the case outcome in GCID. • Photocopy documents: <ul style="list-style-type: none"> ○ endorse photocopies of passport, identity cards, birth and marriage certificates with 'verified true copy'. Sign and date the copy. 	<p>Related links</p> <p>Determine appeal rights</p> <p>Refusal letters</p> <p>Refuse with right of appeal</p> <p>Refuse non-EEA national family member</p> <p>Refusal wording</p> <p>Appeals</p> <p>Reconsiderations</p>
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	<ul style="list-style-type: none"> • Produce and print the correct refusal letter. To identify which refusal letter to use, see related link: Refusal letters. To complete the letter: <ul style="list-style-type: none"> ○ select the paragraph explaining why there is no right of appeal ○ if refusing an accession worker card, remove the paragraph about reconsiderations, and ○ sign the letter. • Complete GCID with: <ul style="list-style-type: none"> ○ full case notes ○ case reference maintenance – enter Royal Mail delivery details of the decision letter sent to the applicant, and ○ key document tracking – enter decision letter details, including those sent to family members. • Post the refusal to the applicant by recorded delivery (if the applicant is not in the UK you must send the refusal by airmail, which is an untracked service). The refusal must contain: <ul style="list-style-type: none"> ○ original documents including passport, and ○ relevant refusal letter with correct paragraph explaining that there is no right of appeal, signed and dated. • Print case reference sheet and attach to retained documents: <ul style="list-style-type: none"> ○ if there is no existing Home Office file send documents to CRS, ○ if there is a Home Office file send documents to lay-by with a linking request. <p>Process for non-EEA national family members For guidance on how to process refusals for non-EEA national family members see related link: Refuse non-EEA national family member.</p>	
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Bulgarian and Romanian casework

Refuse with right of appeal

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This page explains how you refuse, with a right of appeal, an application for residence documentation from a Bulgarian or Romanian national, or a family member or a Bulgarian or Romanian national.</p> <p>The application will be for a:</p> <ul style="list-style-type: none"> • blue or yellow registration certificate, or • residence card. <p>These are known as RFRL refusals. RFRL refers to the reasons for refusal letter (ICD.3050) sent out with cases that attract a full right of appeal.</p> <p>Eligibility</p> <p>Only some types of applications qualify for a right of appeal. These include applications for blue and yellow registration certificates and residence cards for non-European Economic Area (EEA) nationals (although some exceptions apply).</p> <p>Applications for purple accession worker cards (AWC) and family member residence stamps do not attract a right of appeal.</p> <p>To find out if the refusal attracts a right of appeal, see related link: Determine appeal rights.</p> <p>Process for EEA nationals</p> <p>If you refuse an application from an EEA national with right of appeal, you must:</p> <ul style="list-style-type: none"> • Enter the case outcome in GCID. • Photocopy documents: <ul style="list-style-type: none"> ○ endorse photocopies of passport, identity cards, birth and marriage certificates with 'verified true copy'. Sign and date the copy. 	<p>Related links</p> <p>Determine appeal rights</p> <p>Refusal letters</p> <p>Refuse with no right of appeal</p> <p>Refuse non-EEA national family member</p> <p>Refusal wording</p> <p>Appeals</p> <p>Reconsiderations</p>
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	<ul style="list-style-type: none"> • Produce and print the correct refusal letter. To identify which refusal letter to use, see related link: Refusal letters. To complete the letter: <ul style="list-style-type: none"> ○ select the paragraph to explain the appeal rights, and ○ sign the letter. • Produce and print the reasons for refusal letter (RFRL / ICD.3050) to tell the applicant why you are refusing their application. To complete the letter: <ul style="list-style-type: none"> ○ insert the appropriate wording for the application type and the relevant refusal paragraphs, and ○ sign and date the letter. • Produce and print a 'notice of appeal' form (IAFT-1 / ICD.1041): <ul style="list-style-type: none"> ○ complete applicant's details and the service date (date of decision plus two working days, taking into account different national bank holidays). Do not sign or date the letter. • Complete GCID with: <ul style="list-style-type: none"> ○ full case notes ○ case reference maintenance – enter Royal Mail delivery details of the decision letter sent to the applicant, and ○ key document tracking – enter decision letter details, including those sent to family members. • Post the RFRL refusal to the applicant by recorded delivery (if the applicant is not in the UK you must send the refusal by airmail, which is an untracked service). The RFRL refusal must contain: <ul style="list-style-type: none"> ○ original documents including all valuable documents, such as passports, ID cards, marriage certificates, and birth certificates ○ relevant refusal letter complete with appeal rights, signed and dated ○ reasons for refusal letter (RFRL / ICD.3050) complete with the relevant paragraphs under which you are refusing the application, signed and dated, and ○ notice of appeal form (IAFT-1 / ICD.1041) complete with appeal deadline, unsigned and undated. <p>Process for non-EEA national family members For guidance on how to process refusals for non-EEA national family members see related link: Refuse non-EEA national family member.</p>	
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What to do with RFRL bundles

After posting the RFRL refusal to the applicant you must request the applicant's Home Office file if they have one and keep the Home Office file and retained documents in the potential appeals hold for six weeks.

See table below for what to do with the bundle if an applicant appeals against the decision or if the six weeks expire.

Applicant has:	Not appealed after six weeks	Appealed
Home Office file	Employment routes workflow team (ERWT) return file to lay-by	Caseworker to create appeals bundle. Send on file to APC 1.
No Home Office file	Send retained documents to CRS	ERWT create Home Office file, link retained documents and pass to caseworker. Caseworker to create appeals bundle Send on file to APC 1.

If the applicant does appeal, you must prepare an appeal bundle. For guidance see related link: Appeals.

Bulgarian and Romanian casework

Refuse non-EEA national family member

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This page explains how to refuse a non-European Economic Area (EEA) national's application for residence documentation as a family member of a Bulgarian or Romanian national.</p> <p>The application will be for a:</p> <ul style="list-style-type: none"> family member residence stamp, or residence card. <p>You must complete the extra process steps detailed below while following the 'Process for EEA nationals' guidance at one of the related links:</p> <ul style="list-style-type: none"> Refuse with no right of appeal, or Refuse with right of appeal. <p>Extra process steps for refusing non-EEA nationals</p> <ul style="list-style-type: none"> Retain the applicant's passport if they do not have a right to reside or valid leave to enter or remain. Assess the harm rating of the case to decide where to send it. See related links: <ul style="list-style-type: none"> Harm matrix Transfer or refer a case. Insert the following two paragraphs into the refusal letter explaining the applicant's human rights and (if appropriate) that their passport or ID card has been sent to an immigration compliance and engagement (ICE) team (formally known as local immigration team (LIT)): <ul style="list-style-type: none"> 'The Secretary of State has given careful consideration to your rights under Article 8 of the European Convention of Human Rights. In view of the fact that there are no insurmountable obstacles to you establishing your family and private life outside the 	<p>Related links</p> <p>Determine appeal rights</p> <p>Refusal letters</p> <p>Refuse with no right of appeal</p> <p>Refuse with right of appeal</p> <p>Refusal wording</p> <p>Appeals</p> <p>Reconsiderations</p> <p>Links to staff intranet removed</p>
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	<p>United Kingdom, or returning to [country], the Secretary of State is not satisfied that those rights are breached as a result of this decision.’, and</p> <ul style="list-style-type: none"> ○ ‘Your documents have been forwarded to your regional case ownership unit/local enforcement office. You must now contact them (between the hours of 9am and 5pm, Monday to Friday) by telephone on [insert phone number] by [insert date 10 days from date of refusal notice] at the latest to discuss your departure from the United Kingdom prior to you making any firm travel arrangements’. <p>Assess harm rating and send case to appropriate location</p> <p>You must generate a harm matrix for every non-EEA national refusal. The harm matrix allows the Home Office to prioritise cases for enforcement action where the applicant fails to depart voluntarily from the UK. For more information see related link: Harm matrix.</p> <p>See related link: Transfer or refer a case, for guidance on:</p> <ul style="list-style-type: none"> • initial checks you must complete before transferring or referring a case • how to transfer a case in CID, and • how to transfer or refer a case to specific teams or within specific regions. 	
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Bulgarian and Romanian casework

Refusal wording

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This page tells you what wording to include when you refuse an application for worker authorisation or residence documentation from a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national.</p> <p>The application will be for a:</p> <ul style="list-style-type: none"> • blue or yellow registration certificate • purple accession worker card (AWC) • family member residence stamp, or • residence card. <p>This page contains specific wording to use if you are refusing an application from a student who claims to have:</p> <ul style="list-style-type: none"> • worked while at a college that has closed down, or • studied at a college that has closed down. <p>If you are refusing an application for any other reason, you must select the relevant option or options from the appropriate letter in the document generation and printing (DGP) tool (also known as 'Doc Gen') in CID. For guidance on which DGP template to use, see related link: Refusal letters.</p> <p>You must tailor the wording to the specific facts of the case. If you cannot find the appropriate refusal wording, ask your line manager for advice.</p> <p>Refusal wording to student who claims to have worked while at college that has closed down</p> <p>Thank you for your application for a registration certificate as confirmation of a right of residence in the United Kingdom. An official has considered your application on behalf of the</p>	<p>Related links</p> <p>Determine appeal rights</p> <p>Refusal letters</p> <p>Refuse with no right of appeal</p> <p>Refuse with right of appeal</p> <p>Refuse non-EEA national family member</p> <p>Appeals</p> <p>Reconsiderations</p>
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	<p>Secretary of State. From the information you have provided, we are unable to approve your application.</p> <p>Your application has been refused for the following reason(s).</p> <p>You claim to have worked for an uninterrupted period of 12 months from [insert date] to [insert date] while a student at [insert name of college/school]. Your enrolment letter states that you were to study from [insert date] to [insert date]. However, we have received confirmation that the college/school that you were attending ceased to trade on [insert date]. There is no evidence that after that date you continued to be a student for the purposes of the Immigration (European Economic Area) Regulations 2006 ("the EEA Regulations"). In light of this you ceased to be a student in line with the EEA Regulations after the date [insert name of college/school] closed. Although you continued to work after [insert name of college/school] closed, you have failed to provide evidence that you remained a student throughout the period of your 12 months' employment. You have therefore not completed 12 months' uninterrupted lawful employment. As a result, you are not exempt from the Accession (Immigration and Worker Authorisation) Regulations 2006 and therefore not entitled to a registration certificate.</p> <p>Refusal wording to student who claims to have studied at a college that has closed down</p> <p>Thank you for your application for a registration certificate as confirmation of a right of residence in the United Kingdom as a student. An official has considered your application on behalf of the Secretary of State. From the information you have provided, we are unable to approve your application.</p> <p>Your application has been refused for the following reason(s):</p> <p>You have claimed that you are currently a student at [insert name of college/school] and began studying there on [insert date studies started]. However, we have received confirmation that [insert name of college/school] ceased trading on [insert date]. In light of the fact that you have failed to provide any other evidence that you continue to be a student for the purposes of the Immigration (European Economic Area) Regulations 2006, the</p>	
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This guidance is based on the Accession (Immigration and Worker Authorisation) Regulations 2006 and the Immigration (European Economic Area) Regulations 2006

	Secretary of State is therefore not satisfied that you are exercising your Treaty right as a student.	
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Bulgarian and Romanian casework

Appeals

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This page tells you what to do if a Bulgarian or Romanian national, or a family member of a Romanian or Bulgarian national, appeals against your decision to refuse their application for, or revoke, a registration certificate or residence card.</p> <p>If the applicant appeals against a refusal or revocation decision by the appeal deadline (10 working days from the date of service) you must prepare an appeal bundle for the presenting officer. You must forward the case to the appeals processing centre (APC) before it is heard at the First-tier Tribunal (Immigration and Asylum Chamber).</p> <p>In an appeal, you must refer to the relevant person as an ‘appellant’ as they are no longer an applicant.</p> <p>Creating the appeal bundle</p> <ul style="list-style-type: none"> • Index retained and photocopied documents. Only index documents relevant and pertinent to the reason for refusal or revocation. Number the pages in pencil and use post-it index tabs to index documents. This must follow the chronology of the case. Index the documents in the following order: <ul style="list-style-type: none"> ○ A1, A2, A3 - Application form, if the appellant submitted one. ○ B1, B2, B3 - Photocopied identity documents of appellant and family members. ○ C1, C2, C3 - Photocopied birth and marriage certificates of appellant and dependants. ○ D1, D2, D3 - Documents submitted by the appellant with the initial application. ○ E1, E2, E3 - Further information letters, faxes or emails sent by Home Office. Describe each document for example, ‘letter from Home Office to appellant dated 05 March 2012’. ○ F1, F2, F3 - Further evidence submitted by the appellant following request for further information. • Produce and print a single copy of the appeals proforma PF1 (ECD.3138). Do not sign 	<p>Related links</p> <p>Determine appeal rights</p> <p>Refusal letters</p> <p>Refuse with no right of appeal</p> <p>Refuse with right of appeal</p> <p>Refusal wording</p> <p>Refuse non-EEA national family member</p> <p>Reconsiderations</p>
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	<p>or date the document.</p> <ul style="list-style-type: none"> • Refusal – print copies of the letters sent to the appellant when the case was refused: <ul style="list-style-type: none"> ○ two copies of the relevant refusal letter, signed and dated ○ two copies of the 'reasons for refusal letter' (RFRL / ICD.3050) letter, signed and dated. • Revocation – print copies of the letters sent to the appellant when their registration certificate or residence card was revoked: <ul style="list-style-type: none"> ○ two copies of the relevant revocation notice, signed and dated ○ two copies of the 'reasons for refusal letter' (RFRL / ICD.3050) letter, signed and dated. • Attach the appeal bundle to the Home Office file. Include: <ul style="list-style-type: none"> ○ a case record sheet, and ○ documentary evidence provided by the appellant that is not relevant to the decision. • The appeal bundle must contain the following documents in the order listed: <ul style="list-style-type: none"> ○ one copy of the appeals proforma PF1 (ECD.3138) - unsigned and undated ○ indexed documents ○ two copies of the relevant refusal letter or revocation notice - signed and dated ○ two copies of the RFRL (ICD.3050) - signed and dated. • Send the Home Office file to the appeals processing centre, team APC 1, through the record management system (RMS). 	
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Bulgarian and Romanian casework

Reconsiderations

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This page tells you what to do if a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national, asks you to reconsider your refusal of their application for worker authorisation or residence documentation.</p> <p>The application will be for a:</p> <ul style="list-style-type: none"> • blue or yellow registration certificate • purple accession worker card (AWC) • family member residence stamp, or • residence card. <p>The Home Office will only reconsider a case on request if there was an error in the initial decision based on the evidence submitted at the time. Refer reconsideration requests to your line manager.</p> <p>What happens if an applicant sends new evidence?</p> <p>You must not reconsider an application on the basis of new evidence. Any new evidence must be submitted as a new application. After the case has been checked to make sure the correct decision has been made, return the newly submitted documents with a letter using the following wording.</p> <p>Return of documents letter</p> <p>I acknowledge receipt of [list documents] sent to the Home Office in support of your / your client's application for [insert application type, for example registration certificate or accession worker card]. However, your / your client's application has already been considered based on the evidence supplied at the time the decision was made, in accordance with the Immigration (European Economic Area) Regulations 2006 (as amended) / the Accession (Immigration and Worker Authorisation) Regulations 2006 (as amended) (delete as appropriate).</p>	<p>Related links</p> <p>Determine appeal rights</p> <p>Refusal letters</p> <p>Refuse with no right of appeal</p> <p>Refuse with right of appeal</p> <p>Refuse non-EEA national family member</p> <p>Refusal wording</p> <p>Appeals</p>
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	<p>I am therefore returning the enclosed documents to you, as I am unable to undertake a reconsideration of your application.</p> <p>Your / Your client's case has been checked by a senior caseworker. Upon review there is no evidence that the decision reached in your / your client's case was flawed given the evidence submitted at the time (delete as appropriate).</p> <p>It is open for you / your client to submit a fresh application enclosing up to date evidence, at any time. You / Your client will not be charged for a further application made under the EEA or Accession Regulations (delete as appropriate).</p>	
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Bulgarian and Romanian casework

Revoke registration certificates and residence cards

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This section tells you when and how to revoke a Bulgarian or Romanian national's, or a Bulgarian or Romanian national family member's, registration certificate or residence card.</p> <p>There are no provisions in the Regulations to revoke an accession worker card (AWC), a seasonal agricultural workers scheme (SAWS) card or a family member residence stamp (FMRS).</p> <p>Grounds to revoke registration certificates or residence cards</p> <p>You may revoke a registration certificate or residence card in the following circumstances:</p> <ul style="list-style-type: none"> • on the grounds of public policy, public security or public health, or • if the holder no longer has a right to reside in the UK (for example, because they are no longer exercising a Treaty right). <p>Public policy, public security and public health</p> <p>An example of where it may be appropriate to revoke a registration certificate or residence card on these grounds is where:</p> <ul style="list-style-type: none"> • the holder has been convicted of a crime, and • the criminal casework directorate (CCD) is deporting or intending to deport the individual. <p>Revoking their registration certificate or residence card in this instance would be on the basis of public policy.</p> <p>Unless on imperative grounds of public security, revocations on the grounds of public policy, public security or public health must not be made against anyone who:</p>	<p>In this section</p> <p>Revocation process</p> <p>Revocation letters</p> <p>Related links</p> <p>Determine appeal rights</p> <p>Links to staff intranet removed</p>
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	<ul style="list-style-type: none"> • has resided in the UK for a continuous period of at least 10 years prior to the decision, or • is under the age of 18, unless the relevant decision is in their best interests. <p>For more information see section 3 of related link: 08 Enforcement action taken against EEA nationals and family members.</p> <p>Loss of right of residence Examples of where it may be appropriate to revoke a registration certificate or residence card on the grounds that the person no longer has a right to reside in the UK include where the holder:</p> <ul style="list-style-type: none"> • was issued with a registration certificate on the basis of exercising a Treaty right but is no longer exercising a Treaty right (and does not otherwise have a right to reside), for example if the holder: <ul style="list-style-type: none"> ○ was issued with a registration certificate as a self-employed person but has stopped self-employed activity and is working illegally, or ○ was issued with a registration certificate as a student or self-sufficient person but has become an unreasonable burden on the social assistance system • was issued with a registration certificate or residence card on the basis of being the family member of a qualified person (or of a European Economic Area (EEA) national with a permanent right of residence) but either: <ul style="list-style-type: none"> ○ they are no longer the family member of that person, or ○ the sponsoring EEA national is no longer a qualified person or person with a permanent right of residence (and does not otherwise have a right to reside) • submitted a forged or counterfeit passport or ID card as evidence of their identity and nationality in order to obtain their registration certificate or residence card. <p>In all cases, you must check whether the person otherwise has a right to reside in the UK on some other basis. For more information see related links:</p> <ul style="list-style-type: none"> • Conditions of free movement rights) 	
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	<ul style="list-style-type: none">• 02 Rights of non-EEA national family members. <p>For guidance on what to do to revoke a registration certificate or residence card see related links:</p> <ul style="list-style-type: none">• Revocation process• Revocation letters. <p>Appeal rights in revocation cases See related link: Determine appeal rights.</p>	
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Bulgarian and Romanian casework

Revocation process

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This page tells you how to revoke a Bulgarian or Romanian national's, or a Bulgarian or Romanian national family member's, registration certificate or residence card.</p> <p>If you think it is right to revoke a registration certificate or residence card you must complete full case notes in GCID and refer the case to your line manager to authorise.</p> <p>If your line manager authorises the revocation you may start the revocation process.</p> <p>If your line manager does not authorise the revocation they must complete full case notes in GCID detailing their reasons for not authorising the revocation. In these cases, you must not proceed with the revocation.</p> <p>Refusing an application and revoking a document at the same time</p> <p>In some cases you may decide to revoke a document at the same as refusing an application. For example:</p> <ul style="list-style-type: none"> • an applicant, who holds a yellow registration certificate as a student, applies for a blue registration certificate as an exempt person • the applicant does not qualify for exemption and is no longer exercising a Treaty right as a student • you therefore decide to refuse the application for the blue registration certificate and to revoke the yellow registration certificate at the same time. <p>In such cases, you must detail the reasons for both the refusal and the revocation on the same RFRL and in GCID case notes.</p> <p>Revocation process – request document return</p> <p>You must write to the applicant to request they return their registration certificate or document containing the residence card you want to revoke.</p>	<p>Related links</p> <p>Revocation letters</p> <p>Appeals</p> <p>Links to staff intranet removed</p>
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	<p>Revocation process – destroy or spoil the registration certificate or residence card</p> <p>Once you receive the document, revoke it as detailed in the following table.</p> <table><tr><th>Registration certificates</th><th>Residence cards</th></tr><tr><td><p>Photocopy the original and place a copy in applicant’s Home Office file.</p><p>Complete a spoil proforma and forward it, and the registration certificate, to the vignettes unit for destruction.</p></td><td><p>Photocopy the original and place a copy in applicant’s Home Office file.</p><p>If the residence card vignette was endorsed in a passport or travel document, complete a spoil proforma and forward it, and the passport, to the vignettes unit. The vignettes unit will spoil the residence card by placing a ‘Cancelled’ stamp across it.</p><p>When you receive the passport back from the vignettes unit, photocopy the revoked vignette and place a copy in the applicant’s Home Office file.</p><p>If the applicant’s residence card was endorsed on an immigration status document (ISD), complete a spoil proforma and forward it and the ISD to the vignettes unit for destruction.</p></td></tr></table> <p>If the applicant does not return their document as requested you must continue with the revocation process but you will not be able to revoke the document.</p> <p>Revocation process – update GCID and tell applicant</p> <ul style="list-style-type: none">• Enter case outcome in GCID as ‘A2 Revoke Registration Certificate’.• Produce and print the correct revocation notice. See related link: Revocation letters. To	Registration certificates	Residence cards	<p>Photocopy the original and place a copy in applicant’s Home Office file.</p> <p>Complete a spoil proforma and forward it, and the registration certificate, to the vignettes unit for destruction.</p>	<p>Photocopy the original and place a copy in applicant’s Home Office file.</p> <p>If the residence card vignette was endorsed in a passport or travel document, complete a spoil proforma and forward it, and the passport, to the vignettes unit. The vignettes unit will spoil the residence card by placing a ‘Cancelled’ stamp across it.</p> <p>When you receive the passport back from the vignettes unit, photocopy the revoked vignette and place a copy in the applicant’s Home Office file.</p> <p>If the applicant’s residence card was endorsed on an immigration status document (ISD), complete a spoil proforma and forward it and the ISD to the vignettes unit for destruction.</p>	
Registration certificates	Residence cards					
<p>Photocopy the original and place a copy in applicant’s Home Office file.</p> <p>Complete a spoil proforma and forward it, and the registration certificate, to the vignettes unit for destruction.</p>	<p>Photocopy the original and place a copy in applicant’s Home Office file.</p> <p>If the residence card vignette was endorsed in a passport or travel document, complete a spoil proforma and forward it, and the passport, to the vignettes unit. The vignettes unit will spoil the residence card by placing a ‘Cancelled’ stamp across it.</p> <p>When you receive the passport back from the vignettes unit, photocopy the revoked vignette and place a copy in the applicant’s Home Office file.</p> <p>If the applicant’s residence card was endorsed on an immigration status document (ISD), complete a spoil proforma and forward it and the ISD to the vignettes unit for destruction.</p>					

	<p>complete the notice:</p> <ul style="list-style-type: none"> ○ insert the appropriate Regulation number and revocation paragraph for the document type, and ○ sign and date the notice. <ul style="list-style-type: none"> • Produce and print the 'reasons for refusal letter' (RFRL / ICD.3050) to tell the applicant why you are revoking their document. To complete the letter: <ul style="list-style-type: none"> ○ insert the appropriate wording for the document type, see related link: Revocation letters, and ○ sign and date the letter. • If applicable, produce and print a 'notice of appeal' form (IAFT-1 / ICD.1041): <ul style="list-style-type: none"> ○ complete applicant's details and the service date (date of decision plus two working days, taking into account different national bank holidays), do not sign or date the letter. • Complete GCID with: <ul style="list-style-type: none"> ○ full case and person notes ○ case reference maintenance – enter Royal Mail delivery details of the decision letter sent to the applicant, and ○ key document tracking – enter decision letter details, including those sent to dependants. • Post the revocation to the applicant by recorded delivery (if the applicant is not in the UK you must send the revocation by airmail, which is an untracked service). The revocation must contain: <ul style="list-style-type: none"> ○ relevant revocation notice complete with appeal rights, signed and dated ○ if the applicant has a right of appeal, reasons for refusal letter (ICD.3050) complete with the relevant paragraphs under which you are revoking the document, signed and dated ○ if applicable, notice of appeal form (IAFT-1 / ICD.1041) complete with appeal deadline, unsigned and undated. <p>Extra process steps if revoking a non-European Economic Area (EEA) national's residence card</p> <ul style="list-style-type: none"> • Retain the applicant's passport if they do not have a right to reside or valid leave to 	
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- enter or remain.
- Assess the harm rating of the case to decide where to send it. See related links:
 - Harm matrix
 - Transfer or refer a case.
 - Insert the following two paragraphs into the revocation letter explaining the applicant's human rights and (if appropriate) that their passport has been sent to an immigration compliance and engagement (ICE) team (formally known as local immigration team):
 - 'The Secretary of State has given careful consideration to your rights under Article 8 of the European Convention of Human Rights. In view of the fact that there are no insurmountable obstacles to you establishing your family and private life outside the United Kingdom, or returning to [country], the Secretary of State is not satisfied that those rights are breached as a result of this decision.', and
 - 'Your documents have been forwarded to your regional case ownership unit/local enforcement office. You must now contact them (between the hours of 9am and 5pm, Monday to Friday) by telephone on [insert phone number] by [insert date 10 days from date of refusal notice] at the latest to discuss your departure from the United Kingdom prior to you making any firm travel arrangements.'

What to do with RFRL bundles if the applicant has a right of appeal

After dispatching the revocation to the applicant you must request the applicant's Home Office file, if they have one, and keep both the file and RFRL bundle in the RFRL hold for six weeks to see if the applicant appeals.

See table below for what to do with the bundle if an applicant appeals against the decision or if the six weeks expire.

Applicant has:	Not appealed after six weeks	Appealed
Home Office file	If the applicant is an EEA national: <ul style="list-style-type: none"> • employment routes workflow team (ERWT) 	Caseworker to create appeals bundle. Send on file to APC 1.

		<p>return file to lay-by</p> <p>If the applicant is a non-EEA national:</p> <ul style="list-style-type: none">• send file to relevant ICE team or case ownership unit, see related link: Transfer or refer a case.	
No Home Office file	<p>If the applicant is an EEA national:</p> <ul style="list-style-type: none">• send retained documents to CRS. <p>If the applicant is a non-EEA national:</p> <ul style="list-style-type: none">• ERWT create Home Office file and link retained documents.• Send file to relevant ICE team or case ownership unit. See related link: Transfer or refer a case.	<p>ERWT create Home Office file, link retained documents and pass to caseworker.</p> <p>Caseworker to create appeals bundle and send on file to APC 1.</p>	

If the applicant does appeal, you must prepare an appeal bundle. For guidance see related link: Appeals.

If the applicant has no right of appeal

Follow the table below to work out where to send the applicant’s file or retained documents if

	there is no right of appeal against your decision to revoke their document.			
	Applicant has	EEA national	Non-EEA national	
	Home Office file	ERWT return file to lay-by	Send file to relevant ICE team or case ownership unit. See related link: Transfer or refer a case.	
	No Home Office file	Send retained documents to CRS.	ERWT to create file, link retained documents and send to relevant ICE team or case ownership unit.	

Bulgarian and Romanian casework

Revocation letters

Request further information Grant application Refuse application Revoke registration certificates and residence cards	<p>This page tells you which revocation notice you must send to a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national, when you revoke their registration certificate or residence card.</p> <p>It also tells you:</p> <ul style="list-style-type: none">• What Regulation to quote and refusal or revocation paragraphs to add to the revocation notice. And• If the applicant has a right of appeal against the decision, what refusal or revocation paragraphs to add to the reasons for refusal letter (RFRL) (ICD.3050). To work out if the applicant has a right of appeal, see related link: Determine appeal rights. <p>Revocation notices</p> <table><tr><td>Revoke Registration Certificate (Blank)</td><td>ECD.3127</td></tr><tr><td>Revoke Residence Card (Blank)</td><td>ECD.3128</td></tr><tr><td>Revoke Registration Certificate (Forged ID)</td><td>ECD.3133</td></tr><tr><td>Revoke Residence Card (Family member’s ID forged)</td><td>ECD.3134</td></tr></table> <p>Paragraphs to use if the applicant is no longer exercising a Treaty right</p> <table><tr><th>Letter</th><th>Regulation and wording</th></tr><tr><td>ECD.3127 (registration certificate)</td><td>Regulation 20(2). On [input date] you were issued with a registration certificate under the Immigration (European Economic Area) Regulations 2006 as confirmation of a right to reside in the UK under those Regulations as a qualified person, as defined in regulation 6 of the Regulations. However, it appears that you have ceased to be a qualified person and are therefore no longer entitled to a registration certificate.</td></tr></table>	Revoke Registration Certificate (Blank)	ECD.3127	Revoke Residence Card (Blank)	ECD.3128	Revoke Registration Certificate (Forged ID)	ECD.3133	Revoke Residence Card (Family member’s ID forged)	ECD.3134	Letter	Regulation and wording	ECD.3127 (registration certificate)	Regulation 20(2). On [input date] you were issued with a registration certificate under the Immigration (European Economic Area) Regulations 2006 as confirmation of a right to reside in the UK under those Regulations as a qualified person, as defined in regulation 6 of the Regulations. However, it appears that you have ceased to be a qualified person and are therefore no longer entitled to a registration certificate.	<p>Related links</p> <p>Revocation process</p> <p>Determine appeal rights</p> <p>Links to staff intranet removed</p>
	Revoke Registration Certificate (Blank)	ECD.3127												
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	Letter	Regulation and wording												
ECD.3127 (registration certificate)	Regulation 20(2). On [input date] you were issued with a registration certificate under the Immigration (European Economic Area) Regulations 2006 as confirmation of a right to reside in the UK under those Regulations as a qualified person, as defined in regulation 6 of the Regulations. However, it appears that you have ceased to be a qualified person and are therefore no longer entitled to a registration certificate.													

	ECD.3128 (residence card)	<p>Regulation 20(2).</p> <p>On [input date] you were issued with a residence card as confirmation of a right of residence in the United Kingdom as the family member of an EEA national. However, your EEA family member is not exercising Treaty rights in the United Kingdom. You have therefore ceased to be the family member of a qualified person.</p> <p>Your application has also been considered under Article 8 of the Human Rights Act. After careful consideration of your case we are satisfied that this decision does not represent a breach of Article 8 of your human rights.</p>	
	ICD.3050 (registration certificate)	<p>Input the appropriate registration certificate blue or yellow wording.</p> <p>Complete the refusal reasons.</p> <p>At the end of the refusal reasons you must add the following text:</p> <p>Furthermore, the Secretary of State is not satisfied that you are continuing to exercise your Treaty right in the United Kingdom as a [input casetype] and have therefore ceased to be a qualified person. In view of these facts, you are no longer entitled to a registration certificate confirming your status in the United Kingdom and it has been decided to revoke your registration certificate with reference to regulation 20(2) of the Immigration (European Economic Area) Regulations 2006.</p>	
	ICD.3050 (residence card)	<p>Input the appropriate registration certificate blue or yellow wording.</p> <p>Complete the refusal and/or revocation reasons.</p> <p>At the end of the refusal reasons you must add the following text:</p>	

		<p>Furthermore, you were issued a residence card as confirmation of a right of residence in the United Kingdom as the family member of a qualified person but the Secretary of State is not satisfied that that person is continuing to exercise their Treaty right in the United Kingdom as a [input casetype]. As you have ceased to be a family member of a qualified person you are therefore no longer entitled to a residence card confirming your right of residence in the United Kingdom and it has been decided to revoke your residence card with reference to regulation 20(2) of the Immigration (European Economic Area) Regulations 2006.</p>	
Paragraphs to use if the applicant used a forged or counterfeit passport or ID card			
	Letter	Regulation and wording	
	ECD.3133 (registration certificate)	<p>Regulation 20(2)</p> <p>On [input date] you were issued a registration certificate under the Immigration (European Economic Area) Regulations 2006 as confirmation of a right to reside in the UK under those Regulations as a qualified person, as defined in regulation 6 of the Regulations. However, checks have revealed that the passport / national identity card you submitted as evidence of your EEA nationality is forged / counterfeit. Therefore, you are not a qualified person and are not entitled to a registration certificate under the Regulations.</p>	
	ICD.3134 (residence card)	<p>Regulation 20(2)</p> <p>Evidence of the European Economic Area (EEA) national sponsor's identity and nationality was forged or counterfeit</p> <p>Replace the first paragraph with:</p> <p>On [input date] you were issued a residence card as confirmation of</p>	

		<p>a right of residence in the United Kingdom as the family member of an EEA national. However, checks have revealed that the passport / national identity card submitted as evidence of their EEA nationality is forged / counterfeit. Therefore, you are not entitled to hold a residence card as the family member of an EEA national.</p> <p>Your application has also been considered under Article 8 of the Human Rights Act. After careful consideration of your case we are satisfied that this decision does not represent a breach of Article 8 of your human rights.</p> <p>Evidence of the non-EEA national's identity and nationality was forged or counterfeit</p> <p>On [input date] you were issued a residence card as confirmation of a right of residence in the United Kingdom as the family member of an EEA national. However, checks have revealed that the passport you submitted as evidence of your identity and nationality is forged / counterfeit. Therefore, you are not entitled to hold a residence card as the family member of an EEA national.</p> <p>Your application has also been considered under Article 8 of the Human Rights Act. After careful consideration of your case we are satisfied that this decision does not represent a breach of Article 8 of your human rights.</p>	
	ICD.3050 (registration certificate)	<p>Input the appropriate registration certificate blue or yellow wording.</p> <p>Complete the refusal and/or revocation reasons.</p>	
	ICD.3050 (residence card)	<p>Input the appropriate residence card wording.</p> <p>Complete the refusal and/or revocation reasons.</p>	

<p>Paragraphs to use if the applicant is no longer a family member of a person exercising a Treaty right</p>		
Letter	Regulation and wording	
ECD.3128 (residence card)	<p>Regulation 20(2).</p> <p>On [input date] you were issued with a residence card as confirmation of a right of residence in the United Kingdom as the family member of an EEA national. However, you have ceased to be the family member of that person and no longer have a right of residence in the United Kingdom or the right to hold a residence card confirming such a right.</p> <p>Your application has also been considered under Article 8 of the Human Rights Act. After careful consideration of your case we are satisfied that this decision does not represent a breach of Article 8 of your human rights.</p>	
ICD.3050 (residence card)	<p>Input the appropriate registration certificate blue or yellow wording.</p> <p>Complete the refusal reasons.</p> <p>At the end of the refusal reasons you must add the following text:</p> <p>Furthermore, you were issued with a residence card as confirmation of a right of residence in the United Kingdom as the family member of a qualified person but the Home Office is not satisfied that you continue to be a family member of that person. As you have ceased to be a family member of a qualified person you are therefore no longer entitled to a residence card confirming your right of residence in the United Kingdom and it has been decided to revoke your residence card with reference to regulation 20(2) of the Immigration (European Economic Area) Regulations 2006.</p>	

		<p>Paragraphs to use if revoking on grounds of public policy, public health or public security</p>	
	Letter	Regulation and wording	
	ECD.3127 (registration certificate)	<p>Regulation 20(1).</p> <p>On [input date] you were issued with a registration certificate under the Immigration (European Economic Area) Regulations 2006 as confirmation of a right to reside in the United Kingdom under those Regulations. However, you would pose a threat to the requirements of public policy if allowed to remain in the United Kingdom.</p>	
	ECD.3128 (residence card)	<p>Regulation 20(1).</p> <p>On [input date] you were issued a residence card as confirmation of a right of residence in the United Kingdom as the family member of an EEA national exercising rights in the United Kingdom under European Community law. However, you would pose a threat to the requirements of public policy if allowed to remain in the United Kingdom.</p> <p>Your application has also been considered under Article 8 of the Human Rights Act. After careful consideration of your case we are satisfied that this decision does not represent a breach of Article 8 of your human rights.</p>	
	ICD.3050 (registration certificate)	<p>Input the appropriate registration certificate blue or yellow wording.</p> <p>Complete the refusal and/or revocation reasons.</p>	
	ICD3050 (residence card)	<p>Input the appropriate registration certificate blue or yellow wording.</p>	

This guidance is based on the Accession (Immigration and Worker Authorisation) Regulations 2006 and the Immigration (European Economic Area) Regulations 2006

		Complete the refusal and/or revocation reasons.	

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Contact

<p>Request further information</p> <p>Grant application</p> <p>Refuse application</p> <p>Revoke registration certificates and residence cards</p>	<p>This page explains who to contact for more help with a specific case when you tell a Bulgarian or Romanian national, or a family member of a Bulgarian or Romanian national, of your decision or action on their application for worker authorisation or residence documentation.</p> <p>The application will be for a:</p> <ul style="list-style-type: none"> • blue or yellow registration certificate • purple accession worker card (AWC) • family member residence stamp, or • residence card. <p>If you have read the relevant legislation and this guidance and still need more help with this category, you must first ask your line manager.</p> <p>If they cannot answer the question, they will email the European operational policy team for guidance on the policy, see related link. You must not contact the European operational policy team directly.</p> <p>Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must ask your team leader to contact the European operational policy unit, who will ask the MGT to update the guidance, if appropriate.</p> <p>The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.</p>	<p>Related links</p> <p>Changes to this guidance</p> <p>Information owner</p> <p>Links to staff intranet removed</p>
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Bulgarian and Romanian casework

Information owner

Request further information
Grant application
Refuse application
Revoke registration certificates and residence cards

This page tells you about this version of the Bulgarian and Romanian casework – tell applicant of decision or action guidance and who owns it.

Version	2.0
Valid from date	30 May 2013
Policy owner	European operational policy team
Cleared by director	Sonia Dower Neil Hughes
Director's role	Director, operational policy and rules Director, national lead, temporary migration
Clearance date	23 January 2013
This version approved for publication by	Richard Short
Approver's role	Assistant director, modernised guidance team
Approver's date	23 May 2013

Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must ask your team leader to contact the European operational policy team, who will ask the MGT to update the guidance, if appropriate.

The MGT will accept direct feedback on broken links, missing information or the format, style and navigability of this guidance. You can send these using the link: Email: Modernised guidance team.

Related links
[Changes to this guidance](#)

[Contact](#)

Links to staff intranet removed