



Home Office

# UK Border Agency

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## APPLICATION FOR A REGISTRATION CERTIFICATE FOR A BULGARIAN OR ROMANIAN NATIONAL EXERCISING A TREATY RIGHT IN THE UNITED KINGDOM

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**In order to exercise a Treaty right you must be residing in the United Kingdom at the time of application.**

This form must be accompanied by:

- **Original** valid passports or ID cards for each person included; and
- Two recent passport-sized photographs for each person included; and
- **Original** versions of all required documents.

**Failure to comply with these requirements may lead to delays in processing your registration certificate and possible refusal of your application.**

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**

We will return all your documents by recorded delivery. If you want your passport and other documents returned by Special Delivery, you will need to provide a suitably sized Special Delivery envelope with the correct pre-paid postage.

# BR(1)

Version 02/2009

You should complete this form if you are a Bulgarian or Romanian national residing in the United Kingdom and you are:

- self-employed;
- a student; or
- self-sufficient

OR

You are a worker or a jobseeker in the UK and you are exempt from worker authorisation (see page 2 for details)

OR

You are the direct family member of a Romanian or Bulgarian worker who holds an Accession Worker Card

If you have family members who are also EEA nationals, you may include them in this application

**This form is to be used for applications made on or after 2 October 2009**

## 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](http://www.ukba.homeoffice.gov.uk/eucitizens)).

All applicants must complete sections 1, 2, 8, 9, 10 and 11.

If you are applying as a **self-employed** individual, please also complete section 3.

If you are applying as a **student**, please also complete section 4.

If you are applying as a **self-sufficient** individual, please also complete section 5.

If you are **exempt** from Accession State worker authorisation, please complete the relevant section below:

If you are applying and your family member holds a current Registration Certificate and is sponsoring your application, please include your sponsor's details in section 2.

If you are the **spouse or civil partner** of a British citizen or person settled in the United Kingdom, please also complete section 6.

If you have been legally working as an employee in the United Kingdom for a period of 12 months ending on or after 31 December 2006, please also complete section 7.

If you had leave to enter or remain under the Immigration Act 1971 on 31 December 2006 and that leave does not place any restrictions on taking employment in the United Kingdom or have been given such leave after that date, please also complete section 7.

If you are the direct family member (spouse or civil partner, child under 21 or dependent) of a Bulgarian or Romanian national issued with an Accession Worker Card, please also complete section 7.

# BR(1)

Version 02/2009

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



**SECTION 1** Your details

Your personal details should be entered at **1.1** to **1.9**. Where family members are included in the application, and they are also EEA nationals, their personal details should be entered at section **2.1**. If your family members are not EEA nationals, they should complete form BR5.

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 your representative's OISC Registration Number if they have one.

Attach applicant's photographs here

**1.1** Title (Mr, Mrs, Miss, Ms, Other)

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Full name as shown on ID card or passport

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Surname

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

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**1.2** Nationality

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**1.3** Date of Birth

Day	Month

Year

Gender M  F

**1.4** Home Office reference number if known

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**1.5** Passport number or ID card number

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**1.6** UK address

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Please inform us immediately if this changes

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Postcode

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**1.7** Daytime telephone number

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**1.8** The address to which you would like us to return your documents and send any letters about your application, if different from that at **1.6**

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Postcode

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**1.9** Are you, or do you intend to be, employed in the United Kingdom?

Yes  No

**SECTION 2** EEA national family members' details (please see guidance notes before completing)

If you wish that your EEA national family members be included in this application, please give their details below. Non EEA national family members wishing to apply for a Residence Card should complete form BR5.

**2.1 (a)** Do you have any EEA national family members in the UK applying as your dependant on this application? Yes  No

**2.1 (b)** Do you have any EEA national family members in the UK who are sponsoring this application? Yes  No

If you have answered **yes** to question 2.1 please give the details of your EEA family members below. If you have more than three family members please give their details and photographs on a separate sheet and provide it with your application.

If parents' details are not shown in the child's passport or ID card, documentary evidence of relationship should be provided i.e. full birth certificate.

If the relationship is other than spouse/civil partner or parent/child e.g. brother or cousin, please provide appropriate evidence to confirm the relationship (e.g. original birth, marriage or civil partnership certificates) and evidence that your family member is financially dependant on you. For more information on family members please refer to the guidance notes for Bulgarian and Romanian nationals on obtaining permission to work in the UK.

Family member's full name \_\_\_\_\_

Nationality \_\_\_\_\_

Date of Birth 

Day	Month	Year

 Gender M  F

Relationship to you \_\_\_\_\_

Home Office reference (if known) \_\_\_\_\_

Attach family member's photographs here

Family member's full name \_\_\_\_\_

Nationality \_\_\_\_\_

Date of Birth 

Day	Month	Year

 Gender M  F

Relationship to you \_\_\_\_\_

Home Office reference (if known) \_\_\_\_\_

Attach family member's photographs here

Family member's full name \_\_\_\_\_

Nationality \_\_\_\_\_

Date of Birth 

Day	Month	Year

 Gender M  F

Relationship to you \_\_\_\_\_

Home Office reference (if known) \_\_\_\_\_

Attach family member's photographs here

## SECTION 3 Self employment

If you are applying on the basis of self employment, please complete this section and provide the evidence requested.

It should be noted that you are not required to hold this certificate before taking up self-employment, although you must be able to prove your status if you are challenged. The certificate will confirm that you are an EEA national exercising a Treaty right as a self-employed individual. It does not confirm employment status.

### Your business details

3.1 I am established in business/following a self-employed occupation as:

Name of business

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Business address

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Postcode

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Telephone number

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**Evidence of self-employment/business to be provided. Please tick the boxes next to the relevant items to show the documents you are providing:**

3.2 You should provide the following:

Invoices showing payment for services

Contracts (including freelance work) to provide services

Letters of recommendation from clients (please include your client's telephone number as we will check references)

**In addition please send as many of the following pieces of evidence as possible:**

Original Bank statements

Proof of National Insurance registration

Evidence from HMRC of National Insurance special reference number

Evidence from HMRC of National Insurance contributions

Evidence from HMRC of registration for tax

Evidence of tax payment under the Construction Industry Scheme

Details of your premises

Client lists

Details of how you advertise your business

**You must also be able to provide original evidence of any licences which are requisite to your particular self-employment or business. For example, we will need to see driving licences for taxi drivers, Corgi registration for gas fitters, and environment health registration for food services.**

**Failure to provide the evidence listed above may lead to delays in the processing of your application, or lead to refusal if we are unsatisfied with the evidence supplied.**

**Please now complete sections 8, 9, 10 and 11**

## SECTION 4 Student

If you are applying on the basis of being a student please complete this section and provide the evidence requested. Please note – you must have started your course before we will issue you a Registration Certificate.

- 4.1 Name and address of the approved educational establishment (see the Register of Education and Training Providers [www.dfes.gov.uk/providersregister](http://www.dfes.gov.uk/providersregister)) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Postcode \_\_\_\_\_  
Telephone number \_\_\_\_\_
- 4.2 Course title \_\_\_\_\_
- 4.3 Date course of study started 

Day	Month

Year
- Date course of study will end 

Day	Month

Year
- Are you currently studying in the UK? Yes  No

4.4 **You are required to provide the following documentary evidence of your course of study and funds:**

- A school, college or university letter confirming enrolment and the completion date of the course
- Proof that you have sufficient resources not to become a burden on the UK's social assistance system during your time as a student. Ideally this should be in the form of original bank statements covering a three month period. If a parent, relative or friend is supporting you, the evidence should be a letter from him/her confirming this together with formal documents showing their financial situation.
- Evidence of a grant or scholarship if you have one
- Evidence of sponsorship if you are being sponsored
- I confirm I will support myself in the UK from work based vocational training for which I will be in receipt of a salary

**Please now complete sections 8, 9, 10 and 11**

## SECTION 5 Self-sufficient

If you are applying on the basis of being economically self-sufficient please provide the evidence requested.

- 5.1 Evidence of funds sufficient to maintain yourself and any family members included in this application during the time you intend to reside on this basis. These funds can come from the lawful employment or self-employment of any of your family members residing in the UK with you.
- Documentary evidence of your family member's employment or funds supplied
- Documentary evidence of comprehensive sickness insurance cover in the United Kingdom

**Please now complete sections 8, 9, 10 and 11**

## SECTION 6 Spouse or Civil Partner of a British national or a person settled in the United Kingdom

Unless otherwise stated, the word “partner” in this section means your spouse or civil partner.

Your partner's full name \_\_\_\_\_

Nationality \_\_\_\_\_

Date of Birth

Day	Month	Year
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Gender

M

F

Please tick a box below to show us the category in which you are applying

Spouse of a person present and settled in the UK

Civil partner of a person present and settled in the UK

6.1 Please state the date of your wedding or civil partnership ceremony.

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

Year
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6.2 Please state the place of your wedding or civil partnership ceremony.

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6.3 Have you been married or in a civil partnership before (if yes, please complete section 9.3)?

Yes

No

6.4 Has your partner been in a marriage or civil partnership before (if yes, please complete section 9.3)?

Yes

No

6.5 When did you meet your partner?

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

Year
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6.6 Where did you meet your partner?

6.7 When did you decide to marry or form a civil partnership

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

Year
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6.8 When did you start living together?

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Please now complete sections 8, 9, 10 and 11

## SECTION 7 Exempt from Accession State worker authorisation

If you had current leave to enter or remain in the United Kingdom under the 1971 Immigration Act you may be exempt from Accession State worker authorisation. If you can answer 'yes' to any of the following questions, you may be issued with a registration certificate to confirm that you can work in the UK without restrictions.

7.1 Are you a Bulgarian or Romanian national who had leave to enter or remain in the UK on 31 December 2006 (or have been given such leave after that date) under the 1971 Immigration Act and that leave was not subject to any condition restricting employment?

Yes

No

7.2 Are you a Bulgarian or Romanian national who was working with valid leave to remain as an employee in the United Kingdom on 31 December 2006 and had been legally working in the United Kingdom without interruption for the previous 12 months?

Yes

No

7.3 Are you a Bulgarian or Romanian national who was working with valid leave to remain as an employee in the United Kingdom without interruption for a period of 12 months, falling partly or wholly after 31 December 2006?

Yes

No

7.4 Are you a Bulgarian or Romanian national who is the direct family member of a Bulgarian or Romanian national with an Accession Worker Card (see Guidance Notes above for definition)?

Yes

No

Please now complete sections 8, 9, 10 and 11

## SECTION 8 Personal History – All applicants should complete this section

You should answer all the questions in this section on behalf of yourself and any family members included in this application. **Information will be checked with other agencies.**

- 8.1 Do you or any dependants included in this application 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 8.1 above please give details below for each sentence starting with the most recent one first – but first see **Note 1** below. If you or any dependants included in this application have received more than two sentences you should continue on another sheet. If you have answered **No** please go to [Question 8.2](#).

**Note 1: Convictions spent under the Rehabilitation of Offenders Act 1974 need not be disclosed. More information about this Act is given at 8.7.**

### First sentence

Name of person sentenced

Nature of offence

Date sentenced

Sentence given

Country where sentenced

### Second sentence

Name of person sentenced

Nature of offence

Date sentenced

Sentence given

Country where sentenced

- 8.2 Have you or any dependants included in this application ever been charged or indicted inside or outside the United Kingdom with a criminal offence for which you or any dependants included in this application have not yet been tried in court? Yes  No

- 8.3 Have you or any dependants included in this application 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 8.7** Yes  No

- 8.4 To your knowledge, have you or any dependants included in this application 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 8.7** Yes  No

- 8.5 Have you or any dependants included in this application 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 or any dependants included in this application ever been a member or supporter of an organisation which has perpetrated or supported acts of terrorism in furtherance of its aims? Yes  No

## SECTION 8 Personal History – All applicants should complete this section (continued)

8.6 Have you or any dependants included in this application engaged in any other activities which might be relevant to the question of whether you or any dependants included in this application are persons of good character? Yes  No

8.7 If you have answered **Yes** to any question between 8.1 to 8.6 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 8.3 and 8.4, 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](http://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 9 Documentary Evidence

The documents and photographs needed in support of an application on form BR1 are listed below. You should provide those which are relevant to your case and the cases of any family members included in the application.

**9.1 You should attach all photographs to sections 1 and 2 of the form in the spaces provided. The Bulgarian and Romanian guidance notes contain more information about photographs.**

Please tick the boxes next to the relevant items to show the documents and photographs you are providing.

**All Applicants**

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

Two recent passport-size photographs of each family member for whom a registration certificate is required with their name written on the back of the photographs attached.

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.

Current passport(s) or ID card(s) for each family member for whom a registration certificate is required.

**9.2 If you are applying for a registration certificate as a Self-employed, Student or Self-sufficient person:**

If section 3 has been completed, evidence to show you are self employed, e.g. invoices, contracts, references, bank statements, registration with HMRC, etc.

If section 4 has been completed, a letter confirming enrolment on a course of study which is to be provided by an organisation which is included on the Department for Education and Skills' Register of Education and Training Providers. Evidence of funds available to you such as a bank statement or a document confirming the receipt of a grant or scholarship. Vocational Courses: Letter from proposed employer/college giving details of work placement such as salary.

If section 5 has been completed, evidence of comprehensive sickness insurance cover in the UK and funds to show you are economically self-sufficient, e.g. a bank statement. If these funds come from a family member, evidence of their employment or funds should be supplied.

**9.3 If you are applying as the Spouse or Civil Partner of a British National or a person settled in the United Kingdom**

Document(s) showing that your spouse or civil partner is a British National or a person settled in the UK (see Note 1).

**Note 1** – the document(s) must be either

Your partner's current passport; or

If your partner is a British citizen without a passport, his/her full birth certificate (showing the parents' names), accompanied by at least one other formal document as evidence of ordinary residence in the UK for the last three years.

The following are examples of formal documents that may be provided as evidence of ordinary residence for the last three years: notice of income tax coding, driving license, building society passbook / bank statements, National Insurance or National Health Service registration issued by the Department for Work & Pensions, Department of Social Security or a local health authority.

List any such document(s) in this box (continue on another sheet if necessary)

**SECTION 9** Documentary Evidence (continued)

Your marriage certificate or civil partnership certificate

If you have answered **yes** to question 6.3, document(s) showing you were free to marry your present spouse or form a civil partnership with your present partner (see note 2). List any such document(s) in this box.

**Note 2:** The document(s) must be formal documents such as a decree absolute or a final dissolution order (or other confirmation of the legal dissolution of the relationship) or a death certificate.

If you have answered **yes** to question 6.4, documents showing that your partner was free to marry you or form a civil partnership with you (see note 2). List any such document(s) in this box.

9.4

**If you are applying for a registration certificate as a Bulgarian or Romanian national who is the direct family member of a Bulgarian or Romanian national with an Accession Worker Card:**

Documentary evidence for the following (appropriate):

Your marriage certificate or civil partnership

If you have answered **yes** to question 6.3, document(s) showing you were free to marry your present spouse or form a civil partnership with your present partner (see note 2). List any such document(s) in this box.

**Note 2:** The document(s) must be formal documents such as a decree absolute or a final dissolution order (or other confirmation of the legal dissolution of the relationship) or a death certificate.

If you have answered **yes** to question 6.4, documents showing that your partner was free to marry you or form a civil partnership with you (see note 2). List any such document(s) in this box.

Birth certificate and adoption certificate (if appropriate) to establish you are a child under 21 of your Bulgarian or Romanian sponsor, or

If you claim that you are a dependent direct descendent of your Romanian or Bulgarian sponsor in the ascending line (e.g. parents/grandparents), birth certificates and/or marriage certificates showing the claimed relationship. You will also need to provide financial records establishing you are a dependent of your Bulgarian or Romanian national sponsor. Examples of such records include: bank statements, bank transfer invoices, utility bills. List any such document(s) in this box:

## SECTION 9 Documentary Evidence (continued)

- 9.5 If you are applying for a registration certificate as a Bulgarian or Romanian national who has leave to enter or remain in the UK and is not subject to any condition restricting employment:**
- Evidence to show you had current leave to remain in the UK with no employment restrictions on 31 December 2006 or have been given such leave after that date e.g. an endorsed passport
- Evidence to show you have been working legally in the UK e.g. wage slips
- 9.6 If you are applying for a registration certificate as a Bulgarian or Romanian national who has completed 12 months' continuous lawful employment in the UK:**
- Wage slips covering the last 12 months
- Contract(s) of employment covering the last 12 months
- Letter(s) from employer(s) confirming your employment covering the last 12 months
- Students: Evidence that you have continued to exercise your treaty right as a student

**Please tick the boxes next to the relevant items to show the documents and photographs you are providing**

## SECTION 10 Previous applications

10.1 Have you or any family members included in this application made any previous applications to the UK Border Agency? Yes  No

If **yes**, please provide the Home Office reference number \_\_\_\_\_

10.2 If you do not have a reference number but have previously made an application, please give details below.

## SECTION 11 Applicant's declaration

**Please now read and sign the declaration**

11.1 **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 a registration certificate for myself and any Bulgarian or Romanian national family members listed in this form.

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 and any family members included in the application form, 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 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.

Signed: \_\_\_\_\_

Name (CAPITALS please): \_\_\_\_\_

Date: \_\_\_\_\_