

## Croatian nationals

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1. Croatia joined the European Union (EU) from 1 July 2013, meaning Croatian nationals have the right to move and reside in the UK. However, they do not have an automatic right to be an employed worker in the UK.
2. During the evidence of identity (EOI) interview, the interviewing officer will gather evidence to confirm the applicant's identity and right to work (RTW) in the UK. The decision maker at the NINo Centre (NC) will complete corroborative checks to establish right to work. The prefix to the LMS reference number must **never** be applied to Croatian applications.
3. Additional information regarding the applicant's RTW must be recorded during the EOI interview and evidence provided to support this, as detailed below.
4. If the applicant states they are employed they must provide the necessary work authorisation document from the Home Office (HO):
  - Purple Accession Worker Registration Certificate - showing that they have the right to work in the UK
  - Blue Accession Registration Certificate - showing they are exempt from labour market restrictions
5. If a Croatian national presents themselves as exercising their treaty right as a self-employed person, they need to demonstrate that they are genuinely self-employed before a National Insurance number (NINo) can be allocated. It is not enough for them to just express intent to become self-employed. If the Croatian applicant is self-employed you must follow the instructions for self-employment.
6. If a Croatian Yellow Accession Registration Certificate is provided in support of self-employment, the decision maker must consider that this only confirms that at the time of applying for the certificate the individual was exercising their Treaty Right as a self-employed person.

### Croatian national students

7. Croatian national students are entitled to work up to 20 hours per week during term-time and full-time during the holidays, provided they have been issued with a Yellow Accession Registration Certificate.
8. In order for a National Insurance Number (NINo) to be allocated they must provide a Yellow Accession Registration Certificate proving their RTW up to 20 hours per week. A NINo must not be allocated for a Croatian national student if they do not provide this registration certificate.
9. They must not engage in:
  - business
  - self-employment
  - the provision of services as a professional entertainer or sports person
  - pursuing a career by filling a permanent full-time vacancy
10. If a Croatian student is working more than the permitted hours as per the Yellow Accession Registration Certificate, a NINo should be allocated if all other criteria is met however NINo Integrity Unit (NIU) must be notified via a Doubt Notification.

11. If a Croatian student is working more than 20 hours per week and provides a Purple Accession Workers Registration Certificate, a NINo should be allocated if all other criteria are met. A referral to NIU is not required in these circumstances as the Accession Worker Registration Certificate provides the RTW for a specific employer.
12. An individual may tell us they are undertaking vocational training. They are permitted to work full-time as part of their vocational training as long as they hold a Yellow Accession Registration Certificate.

### **Family members**

13. Family members, spouses and civil partners of Croatian nationals who are exercising Treaty Rights and working in accordance with the accession country regime, are no longer restricted by the workers authorisation scheme when the principal family member is in work. These applicants are required to provide appropriate evidence in support of their exemption, see table below
14. Family members of a Croatian national are defined as:
  - spouses and civil partners
  - children who are under 21 years of age, such as step and adopted children or children aged over 21 who are dependent
  - dependent direct relatives in the ascending line, such as parents and grandparents
15. If the person is an **extended family member** of a Croatian national, such as niece, nephew, cousin and so on record as much information about the applicant and their principal family member during the EOI interview, see table below.

### **Leave to enter with no work restrictions**

16. Those who have leave to enter the UK under the immigration Act 1971 and have no restrictions upon the work they undertake when in the UK are exempt from work authorisation requirements.

### **Continuous working not including self-employment**

17. Applicants who have been in continuous legal employment for a period of 12 months ending on or after 30 June 2013 are exempt from work authorisation requirements.
18. Visa restrictions applied to a Croatian national prior to 1 July 2013 should be accepted as their current status where it remains valid. Where that leave is no longer valid the accession rules should be applied.

### **Diplomat**

19. The member of a diplomatic mission is exempt from Workers Authorisation but is unlikely to need a NINo as they should be employed by Croatia.
20. Croatian nationals who are a member of a diplomatic mission or entitled to diplomatic immunity must provide the appropriate documentary evidence in support of their position, which will then serve as evidence of their RTW status.

## Highly skilled workers

21. Any Croatian national who has qualified as highly skilled may be issued with a Blue Accession Registration certificate which will confirm that there are no restrictions on them taking employment in the UK. These individuals must provide the appropriate documents as evidence of their RTW status.
22. If an applicant does not hold this documentation a NINo cannot be allocated.

## Documentation to be provided by Croatian nationals

23. Croatian nationals must provide primary and secondary evidence to confirm their identity and RTW in the UK.
24. In addition to their Croatian passport or identity card, they must provide the appropriate evidence from the following lists:

Croatian applicants	Evidence to provide
Employed by UK employer (with a degree from a UK institution)	Blue Accession Registration Certificate confirming RTW
Employed by UK employer (sponsored by UK employer)	Purple Accession Registration Certificate confirming permission to work for named employer
Croatian Student	Yellow Accession Registration Certificate confirming Student status
Self-employed	Yellow Accession Registration Certificate for Self Employment, see Documentation to demonstrate self-employment.
Croatian national who is also a member of the UK, Switzerland or another EEA state.	Other European Economic Area (EEA) state passport/identity card to prove dual nationality, see Dual nationality
Croatian national who has leave to enter the UK under the immigration Act 1971 and that leave does not place any restrictions on employment in the UK.	Croatian passport endorsed to show leave to remain and no work restrictions
Croatian national who has been in continuous legal employment for the last 12 months, and this period spans 30/06/2013. Includes students who have worked legally whilst studying.	Croatian passport containing a visa that permits employment in the UK Wage slips covering last 12 months (minimum of 4 months) Contracts of employment for last 12 months Letters from employers within last 12 months Corroborative check to prove legitimacy of employer
Croatian member of a diplomatic mission or anyone entitled to diplomatic immunity.	Diplomatic passport showing immigration / RTW status. Purple Accession Worker Registration Certificate

<b>Spouses/civil partners or family members of Croatian nationals</b>	<b>Evidence to provide</b>
Spouse, civil partner or family members of a Croatian national (principal family member) who has exercised their right to reside in the UK as a self-employed worker.	Principal family member's passport or identity card. Marriage, Birth or Civil Partner Certificate (to prove relationship) Proof of current self-employment of the A2 principal family member Proof of dependency for children over 21 or dependent direct relatives (ascending line such as parents and grandparents)
Spouse, civil partner or family members of a Croatian national who is also a member of the UK, Switzerland or another EEA state.	Principal family member's passport/identity card for the other EEA state or Switzerland Marriage, Birth or Civil Partner Certificate (to prove relationship) Proof that principal family member remains in work Proof of dependency for children over 21 or dependent direct relatives (ascending line such as parents and grandparents)
Spouse, civil partner or family members of a Croatian national (principal family member) who has exercised their right to reside in the UK as a student.	Principal family member's passport or identity card Marriage, Birth or Civil Partner Certificate (to prove relationship) Proof of dependency for children over 21 or dependent direct relatives (ascending line such as parents and grandparents) Letters / documentation from college or university confirming start and end date of course and student status of the Croatian principal family member Proof of Croatian Student's status in the UK
Spouse, civil partner or family members of a Croatian national (principal family member) who has worker's authorisation.	Principal family member's passport or identity card Marriage, Birth or Civil Partner Certificate (to prove relationship) Proof of dependency for children over 21 or dependent direct relatives (ascending line such as parents and grandparents) Croatian national principal family member's permission to work Proof that principal family member remains in work
Spouse, civil partner or family members of a highly skilled Croatian national principal family member.	Principal family member's passport or identity card Marriage, Birth or Civil Partner Certificate (to prove relationship)

	<p>Principal family member's proof of permission to work as a highly skilled worker</p> <p>Proof of dependency for children over 21 or dependent direct relatives (ascending line such as parents and grandparents)</p>
<p>Spouse, civil partner or family members of a Croatian national (principal family member) exempt from registration under the Workers Authorisation Scheme as they have leave to enter under the immigration Act 1971 and that leave does not place any restrictions on taking employment in the UK.</p>	<p>Principal family member's passport / ID Card endorsed to show leave to remain and no work restrictions</p> <p>Marriage, Birth or Civil Partner Certificate (to prove relationship)</p> <p>Proof of dependency for children over 21 or dependent direct relatives (ascending line such as parents and grandparents)</p>
<p>Spouse, civil partner or family members of a Croatian national (principal family member) exempt from registration under the Workers Authorisation Scheme as they have been working with permission and without interruption, in the UK for a period of 12 months ending on or after 30/06/2013. This category can include students.</p>	<p>Principal family member's passport / ID Card.</p> <p>Marriage, Birth or Civil Partner Certificate (to prove relationship)</p> <p>Principal family member's permission to work</p> <p>Principal family member's wage slips covering last 12 months (minimum of 4 months)</p> <p>Principal family member's contract(s) of employment for last 12 months</p> <p>Letters from the principal family member's employer(s) within last 12 months</p> <p>corroborative check to prove legitimacy of employer</p> <p>Proof that principal family member remains in work.</p> <p>Proof of dependency for children over 21 or dependent direct relatives (ascending line such as parents and grandparents)</p>
<p>Spouse, civil partners or family members of a Croatian national (principal family member) who has exercised their right to reside in the UK and is self-sufficient.</p>	<p>Principal family member's passport or identity card</p> <p>Marriage, Birth or Civil Partner Certificate (to prove relationship)</p> <p>Proof of the principal family member's self-sufficiency.</p> <p>Proof of dependency for children over 21 or dependent direct relatives (ascending line such as parents and grandparents)</p>
<p>Spouse, civil partner or family members of a diplomat or the family member of anyone who is entitled to diplomatic immunity.</p>	<p>Passport of diplomat</p> <p>Marriage, Birth or Civil Partner Certificate (to prove relationship)</p> <p>Proof of dependency for children over 21 or dependent direct relatives (ascending line such as parents and grandparents)</p> <p>Documentation to prove diplomatic immunity</p>

<b>Croatian spouses and family members of EU/UK national</b>	<b>Evidence to provide</b>
Croatian national spouse, civil partner or family members of a UK National (Principal family member).	Principal family member's passport Marriage, Birth or Civil Partner Certificate (to prove relationship) Proof of dependency for children over 21 or dependent direct relatives (ascending line such as parents and grandparents)
Croatian national married to or in a civil partnership with an EU national principal family member.	Principal family member's passport or identity card Marriage, Birth or Civil Partner Certificate to prove relationship
<b>Croatian Partner in a durable relationship</b>	
Croatian nationals cohabiting as a couple akin to marriage/civil partnership who have been in this relationship for two years or more. The applicant must be able to prove they arrived in the UK within 6 months of the principal family member and that they are in a durable relationship	Principal family member's passport or identity card Evidence of cohabitation for example: <ul style="list-style-type: none"> <li>• a joint lease</li> <li>• a letter from the landlord/lady</li> <li>• joint utility bills or independent but at the same address</li> <li>• boarding cards, port permits, train tickets or other travel documents</li> </ul> Unreliable information regarding their relationship for example: <ul style="list-style-type: none"> <li>• how and when they met</li> <li>• when they started living together</li> </ul>

### **Proof of dependency**

25. This most commonly applies to family members who are children over 21 or direct relatives in the ascending line, such as parents and grandparents. Children under 21 are classed as family members and do not need to prove that they are in a dependent relationship.
26. An applicant must rely on their principal family member to meet their essential needs. This means providing financial support to ensure that the applicant has enough resources to not become a burden on the state during his/her period of residence. You must ensure that the principal family member remains in work and is carrying out their treaty right legally.
27. The relationship to the principal family member must be determined by the provision of evidence and also the circumstances of the applicant's dependency on the principal family member. This must be established through an examination of their personal circumstances. Day to day relationships and financial responsibilities must be considered when looking to establish dependency.

## Income

Indicator	Income
<b>Characteristics</b>	<p>If the applicant themselves is paying their own rent and/or utility bills, there would not appear to be evidence that they are dependent on the principal family member.</p> <p>Even if the individual is paying their own bills, the level of commitment and risk of those bills not being paid needs to be considered.</p> <p>If the applicant obtains their money to be able to pay those bills.</p> <p>If the principal family member pays bills and expenses, consider if this is a recent arrangement or has been in place a while.</p>
<b>What to consider</b>	<p>There must be evidence to show that the principal family member is responsible for paying bills and expenses. Whether this is in real terms or by providing support direct to the applicant.</p> <p>If the bills did not get paid, would anyone step in to pay them?</p> <p>Does the applicant receive an allowance or other regular income from the principal family member?</p> <p>Is what the applicant receives enough to cover all living expenses or just simply pay one bill?</p> <p>Sufficient resources should be provided by the principal family member to pay for food and accommodation</p>
<b>Evidence</b>	<p>Rent book</p> <p>Utility bills – gas, electric, water and council tax</p> <p>Food</p> <p>Mobile phone bill</p> <p>Bank statements with regular and frequent payment transfers from the principal family member to the applicant.</p>
<b>Corroboration</b>	<p>Cross checking names</p> <p>Are the payments received from someone of the same name as the principal family member on invoices, statements and receipts?</p>

## Accommodation

Indicator	Accommodation
<b>Characteristics</b>	<p>There must be evidence to show that suitable accommodation has been provided for the applicant by the principal family member.</p>
<b>What to consider</b>	<p>Where does the applicant live?</p> <p>How long have they lived there?</p> <p>Does anyone else live with the applicant?</p> <p>Who is paying the rent or mortgage?</p>

<b>Evidence</b>	Proof of address. Registration with the local council. Home insurance policy. Rent book. Letters addressed to the applicant
<b>Corroboration</b>	Occupancy. There should be sufficient bedrooms and space in the household. There should be no evidence of overcrowding. Consideration should be given to number of children in the household and so on. CIS address records for principal family member.

### Health and wellbeing

<b>Indicator</b>	<b>Health and wellbeing</b>
<b>Characteristics</b>	Understanding of why the relationship is dependent. Health problems that would require consideration, such as a mental health illness or physical disability.
<b>What to consider</b>	The applicant must be able to explain the background of the circumstances that have led to the dependent relationship. The applicant must be able to explain how and why the relationship developed. Does the applicant have any health issues and does the principal family member assist them with this. Is the applicant the only person that the principal family member supports?
<b>Evidence</b>	Ask the applicant questions about their background with the principal family member. The applicant should be able to answer the questions.
<b>Corroboration</b>	Legitimacy. Cross reference questions with answers previously given. The narrative must be consistent.

### Frequency of contact

<b>Indicator</b>	<b>Frequency of contact</b>
<b>Characteristics</b>	The applicant should be able to describe their contact with the principal family member. The applicant must be able to explain how they have been supported through any periods of time apart from the principal family member.
<b>What to consider</b>	How long has the applicant been in the UK and maintained the relationship with the principal family member? Is this a temporary measure whilst the applicant establishes themselves in the UK? Do the applicant and the principal family member go shopping together? How often? Does the applicant have other family members in the

	UK? How frequently does the applicant visit other family members that are not the principal family member?
<b>Evidence</b>	Ask the applicant questions about their background with the principal family member. The applicant must be able to answer the questions.
<b>Corroboration</b>	Documents. Do details on the travel documents match, for example: <ul style="list-style-type: none"> <li>• travelled together on the same date?</li> <li>• were tickets bought on the same date?</li> </ul>

Each application will be determined by its own merits.