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Home Office

Croatian casework: granting and refusing applications

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Croatian casework: granting and refusing applications

About this guidance

	This guidance tells caseworkers how to tell a Croatian national, or a family member of a Croatian national, of any decision or action on their application for worker authorisation or residence documentation.	**In this section**
About this guidance Request further information Grant application Refuse application Appeals Reconsiderations Revoke registration certificates and residence cards	The application will be for a: • blue or yellow registration certificate • purple registration certificate • accession residence card, or • residence card. The decision will be to: • grant their application, or • refuse their application. The action will be to: • ask for more information about their application, or • revoke their registration certificate or residence card. This guidance is based on the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013 and relevant amending regulations. See related links. For background to the policy on applications from Croatian nationals, see related link: Background to Croatian casework policy. For key facts for Croatian casework, see related link: Key facts: Croatian casework. Changes to this guidance - This page tells you what has changed since previous versions.	Changes to this Guidance Contacts Information owner **Related links** Links to staff intranet removed Croatia Accession Regulations EEA regulations 2006

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Contacts - This page tells you who to contact for help if your senior caseworker or deputy chief caseworker cannot answer your question.

Information owner - This page tells you about this version of the document and who owns it.

Safeguard and promote child welfare - This section explains your duty to safeguard and promote the welfare of children and tells you where to find more information.

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Croatian casework: granting and refusing applications

Changes to this guidance

| About this guidance
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See also
Contacts

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Date of the change	Details of the change
10 April 2014	Change request: - Throughout guidance: 'family member residence stamp' changed to 'accession residence card' - Grant application: - sub-heading 'GCID data for grant blue registration certificate', table, first row, second column changed - sub-heading 'GCID data for grant yellow registration certificate', table, first row, second column changed - sub-heading 'GCID data for grant purple registration certificate', table, first row, second column changed - sub-heading 'GCID data for grant accession residence card or residence card', table, second row deleted - sub-heading 'Validity of residence cards and accession residence cards', and contents, added - Refuse application: - sub-heading 'GCID data for refusing registration certificates', table, first row, third column changed - sub-heading 'GCID case type: CR Non-EEA Dependant (Purple)', and contents, deleted - Refuse non-EEA national family member: - sub-heading 'Option 2: Unmarried Partners, Extended Family Members, Non-EEA Family Members', paragraph changed

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| | | | Refuse with no right of appeal: sub-heading 'Eligibility', first paragraph deleted sub-heading 'Eligibility', second paragraph changed Refuse with right of appeal: sub-heading 'Eligibility', first paragraph changed sub-heading 'Eligibility', second paragraph deleted Determine appeal rights: third paragraph changed table, both rows, third column changed sixth paragraph deleted sub-heading 'Non-EEA nationals', paragraph changed Step guide for determining appeal rights: third paragraph changed Revoke registration certificates, accession residence cards and residence cards: page name changed first paragraph changed sub-heading 'Public policy, public security and public health', second paragraph changed sub-heading 'Loss of right of residence', first paragraph changed sub-heading 'Loss of right of residence', first paragraph, fifth bullet point and sub-bullets new Revocation letters: sub-heading 'Revocation notices', table, first column, second and fourth rows changed sub-heading 'Paragraphs to use if the applicant is no longer exercising a treaty right, table, fourth row new sub-heading 'Paragraphs to use if the applicant used a forged or counterfeit passport or ID card', table, third row, both columns changed sub-heading 'Paragraphs to use if the applicant is no | | |

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| | | longer a family member of a person exercising a Treaty right', table, second row, second column changed
o sub-heading 'Paragraphs to use if revoking on grounds of public policy, public health or public security', table, third row, both columns changed
• Revocation process:
o first paragraph changed
o second paragraph changed
o sub-heading 'Revocation process – destroy or spoil the registration certificate or residence card, table, first row, second column changed
• Minor housekeeping changes. | |
| | 25 October 2013 | Guidance modernised by the European policy team and modernised guidance team | |

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Croatian casework: granting and refusing applications

Request further information

	This section explains what you must do when you need to ask a Croatian national, or a family member of a Croatian national, for further information on their application for worker authorisation or residence documentation. The application will be for a: • blue or yellow registration certificate • purple registration certificate • accession residence card, or • residence card. **Process for requesting further information** This is also known as a brought forward (BF) case. Consider the application and write up full GCID notes recording evidence presented. 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. If it is not clear which category or Treaty right the applicant is applying under, use request further information letter ICD.4647 Calculate the correct brought forward (BF) date that the applicant must reply by. 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. You must send further information requests to the applicant or their representative. If you	**In this section** Request further information letters **Related links** Links to staff intranet removed

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.

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.

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.

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. The categories with an age requirements is:

- purple registration certificate application: domestic workers in private households.

For more information on the specific age requirements for this category, see related links: Employment category: domestic workers in a private household.

Applicant does not have a certificate of sponsorship
You may refuse applicants applying for a purple registration certificate under an employment category in Tier 2 or 5 of the points-based system without requesting further information if:

- they do not provide a certificate of sponsorship where one is required, and
- after looking on the certificate of sponsorship checking service, there is no evidence of the certificate of sponsorship being assigned

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Request further information letters

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This page explains which letter you must send to ask a Croatian national, or a family member of a Croatian 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 a blue registration certificate

Category	Request further information letter
Exempt from worker authorisation: Leave to enter or remain that allows employment	ICD.4634
Exempt from worker authorisation: Croatian family member of a British, settled or European Economic Area (EEA) national	ICD.4631
Exempt from worker authorisation: Highly skilled individual	ICD.4637
Exempt from worker authorisation: Member of a diplomatic mission	ICD.4638
Exempt from worker authorisation: Spouse/partner of a Croatian subject to work authorisation	ICD.4645
Exempt from worker authorisation: Croatian who has completed 12 months lawful employment	ICD.4648
Croatian extended family member (dependent relative) of a Croatian exempt from worker authorisation	ICD.4635
Croatian unmarried partner of a Croatian exempt from worker authorisation	ICD.4633
Unknown treaty right	ICD.4647

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Application for a yellow registration certificate

Category	Request further information letter
Self-employed person	ICD.4643
Self-sufficient person	ICD.4644
Student	ICD.4646

Application for a purple registration certificate

Category	Request further information letter
Domestic Workers in a Private Household	ICD.4639
Postgraduate doctors, dentists and trainee general practioners	ICD.4640
Representatives of overseas businesses	ICD.4641

Application for a residence card or accession residence card

Category	Request further information letter
Residence card	ICD.4642
Accession residence card	ICD.4636

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Grant application

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

The application will be for a:

- blue or yellow registration certificate
- purple registration certificate
- accession residence card, 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	A1 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	A1 Issue Registration Certificate - Yellow route
Stats category	Reg Cert - issue EEA Nat (A)

GCID data for grant of purple registration certificate
The following table tells you what 'Outcome' and 'Stats category' values you must enter in GCID when granting a purple registration certificate. This applies for all case types.

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Data field	Value
Case outcome	A1 Issue Registration Certificate - Purple Route
Stats category	Reg Cert - issue EEA Nat (A/C/D/S)

GCID data for grant accession residence card or residence card
The following table tells you what 'Outcome' and 'Stats category' values you must enter in GCID when granting an accession residence card or residence card application.

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)

Validity of residence cards and accession residence cards
Where the application is for:

- a residence card,you must enter an 'Expiry Date' value of five years from date of decision
- an accession residence card, you must enter an 'Expiry Date' value of 12 months from date of decision.

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Refuse application

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This section explains how you refuse an application for worker authorisation or residence documentation from a Croatian national, or a family member of a Croatian national.

The application will be for a:

- blue or yellow registration certificate
- purple registration certificate
- accession residence card, or
- residence card.

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.

GCID data for refusing registration certificates
The following table tells you what 'Outcome' and 'Stats category' values you must enter in GCID when refusing an application for:

- a blue registration certificate
- a yellow registration certificate
- a purple registration certificate.

This applies for all case types.

Data field	Refusal reason	Value
Case outcome	Any	A1 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 accession residence card or residence card

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The following tables tell you what 'Outcome' and 'Stats category' values you must enter in GCID when refusing an accession residence card 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 - Reuse no ID / Proof of Relationship
Stats Category	Criteria not met (sponsor)	Res Card - Refuse no EEA Treaty Rights

Refusing the application
You must:

- write to the applicant to fully explain your reasons for refusing their application
- work out if your refusal will attract a right of appeal
- follow different processes when refusing with a right of appeal or refusing with no right of appeal, and
- 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.

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

The application will be for a:

- blue or yellow registration certificate
- purple registration certificate
- accession residence card, 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. Each refusal letters contains a number of options covering different reasons why the application could be refused. You must select the appropriate ones that relate to your case. You can add any additional reasons for refusal not covered by the options by adding text to the letter. 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.

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 application as a person exempt from work authorisation

Case type	Refusal letter
Croatian with current leave to enter or remain	ICD.4651
Croatian family member of an EEA national	ICD.4656
Highly skilled person	ICD.4658
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Croatian spouse, civil or unmarried partner of a British or settled person	ICD.4653
Croatian family member of an EEA national exercising Treaty rights as a self employed, self sufficient person or student	ICD.4655
Croatian spouse/civil partner/child/unmarried partner of a Croatian with leave that allows them to work in the UK	ICD.4652
Croatian spouse/civil partner unmarried partner of a Croatian subject to worker authorisation	ICD.4652
Croatian worker who has completed 12 months lawful employment	ICD.4650
Croatian student who has completed 12 months employment, but worked while college was shut down	ICD.4650
Diplomats/members of a diplomatic mission	ICD.4654

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

Case type	Refusal letter
Self-employed individuals	ICD.4673
Self-sufficient individuals	ICD.4674
Students	ICD.4675

Purple registration certificate as a person seeking work authorisation

Case type	Refusal letter
Tier 2 (General) employment category	ICD.4662
Tier 2 (Intra-company transfer) employment category	ICD.4663
Tier 2 (Minister of religion) employment category	ICD.4664
Tier 2 (Sports person) employment category	ICD.4665
Tier 5 (Temporary worker - sporting and creative) employment category	ICD.4670
Tier 5 (Temporary worker - charity workers)	ICD.4666
Tier 5 (Temporary worker - religious workers)	ICD.4669
Tier 5 (Temporary worker - government authorised exchange)	ICD.4667

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Tier 5 (Temporary worker: international agreement)	ICD.4668
Postgraduate doctors and dentists	ICD.4660
Domestic worker in a private household	ICD.4659
Representative of an overseas business or overseas newspaper or media agency	ICD.4661

Non-EEA national family member

Case type	Refusal letter
Accession residence card (non-EEA family member of a purple registration certificate holder)	ICD.4657
Residence card (non-EEA family member of an EEA national exercising a treaty right)	ICD.4672

Unknown case type

Case type	Refusal letter
Application for a registration certificate - unknown Treaty Rights: Registration Certificate case type	ICD.4676

Representative covering letter

Case type	Covering letter
Covering letter	ICD.3106

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Refuse non-EEA national family member

[About this guidance](#) [Request further information](#) [Grant application](#) [Refuse application](#) [Appeals](#) [Reconsiderations](#) [Revoke registration certificates and residence cards](#)	This page explains how to refuse a non-European Economic Area (EEA) national's application for residence documentation as a family member of a Croatian national. The application will be for: - an accession residence card, or - a residence card. You must complete the extra process steps detailed below while following the 'Process for EEA nationals' guidance at one of the related links: - Refuse with no right of appeal, or - Refuse with right of appeal. **Extra process steps for refusing non-EEA nationals** - 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: - 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)): '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	**In this section** **Related links** Links to staff intranet removed [Determine appeal rights](#) [Refusal letters](#) [Refuse with no right of appeal](#) [Refuse with right of appeal](#)

o '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'.

Refusing European documentation to children
The Home Office has particular responsibilities in the way it deals with applications from children or from the parents of children. If you are refusing documentation to a child or the parent of the child, you should also insert the following into the decision letter using the relevant option(s) where needed.

Section 55 of the Borders, Citizenship and Immigration Act 2009 (the 2009 Act) places a duty on the Secretary of State to safeguard and promote the welfare of children in the UK.

The Home Office discharges its duty of care by acting on any concerns it identifies regarding the welfare of children with whom they come into contact and by conducting checks that are consistent with the impact of its decision making. To this extent, the position of your child/children, [names] has/have been considered in light of the requirements incumbent on the Home Office as defined under Section 55 of the 2009 Act, and Section 11 of the Children Act 2004 and also in the light of the Supreme court ruling in the case of ZH(Tanzania) [2011] UKSC 4

Option 1: EEA Nationals
It is pointed out that a decision not to issue a registration certificate does not require you to leave the United Kingdom.

Option 2: Unmarried Partners, Extended Family Members, Non-EEA Family Members
It is pointed out that a decision not to issue a residence card does not require you to leave the United Kingdom if you can otherwise demonstrate that you have a right to reside under the Regulations.

Option 3: Derivative Rights
It is pointed out that a decision not to issue a derivative rights residence card/residence

permit does not require you to leave the United Kingdom if you can otherwise demonstrate that you have a right to reside under the Regulations.

Option 4: Specific consideration of any individual grounds
However, the individual position regarding your child/children's welfare has/have been considered with specific regard for state any grounds specifically raised by applicant.

Consider any of the following (as applicable). This list is not exhaustive, any other factors raised should also be addressed:

- medical needs
- length of residence in the UK
- the nature of the living arrangements available in the country of return
- availability of education, work or training opportunities in the country of return
- emotional and behavioural development
- age and maturity
- knowledge of language and culture of the country of return
- level of integration in the UK
- disruption caused to education in UK.

Assess harm rating and send case to appropriate location
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.

See related link: Transfer or refer a case, for guidance on:

- 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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Refuse with no right of appeal

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	This page explains how you refuse, with no right of appeal, an application for worker authorisation or residence documentation from a Croatian national, or a family member of a Croatian national.
	
	The application will be for a:
	
	• blue or yellow registration certificate
	• purple registration certificate
	• accession residence card, or
	• residence card.
	
	Eligibility
	Some applications for blue, yellow or purple registration certificates and non-European Economic Area (EEA) national family member accession residence cards or 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.
	
	To decide if the refusal attracts a right of appeal, see related link: Determine appeal rights.
	
	Process for EEA nationals
	If you refuse an application from an EEA national with no right of appeal, you must:
	
	• Enter the case outcome in GCID.
	• Photocopy documents:
	  o Endorse photocopies of passport, identity cards, birth and marriage certificates with 'verified true copy'. Sign and date the copy.
	• Produce and print the correct refusal letter. To identify which refusal letter to use, see related link: Refusal letters. To complete the letter:
	  o select the paragraph explaining why there is no right of appeal
	• Complete GCID with:
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		Refuse with right of appeal

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| | o full case notes o case reference maintenance – enter Royal Mail delivery details of the decision letter sent to the applicant, and o 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: o original documents including passport, and o 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: o if there is no existing Home Office file send documents to CRS o if there is a Home Office file send documents to lay-by with a linking request. **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. | |

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Refuse with right of appeal

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	This page explains how you refuse, with a right of appeal, an application for residence documentation from a Croatian national, or a family member or a Croatian national.
	
	The application will be for a:
	
	• blue, yellow or purple registration certificate
	• accession residence card, or
	• residence card.
	
	These are known as 'RFRL' refusals. RFRL refers to the 'reasons for refusal letter' (ICD.3050) sent out with cases that have a full right of appeal.
	
	Eligibility
	Only some types of applications qualify for a right of appeal. These include applications for blue, yellow or purple registration certificates, accession residence cards and residence cards for non-European Economic Area (EEA) nationals (although some exceptions apply).
	
	To find out if the refusal attracts a right of appeal, see related link: Determine appeal rights.
	
	Process for EEA nationals
	If you refuse an application from an EEA national with right of appeal, you must:
	
	• Enter the case outcome in GCID.
	• Photocopy documents:
	  o Endorse photocopies of passport, identity cards, birth and marriage certificates with 'verified true copy'. Sign and date the copy.
	• Produce and print the correct refusal letter. To identify which refusal letter to use, see related link: Refusal letters. To complete the letter:
	  o select the paragraph to explain the appeal rights, and
	  o sign the letter.
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		[Refuse non EEA family member](#)

- 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:
  - 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):
  - 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:
  - 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:
  - 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.

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.

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.

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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.

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Croatian casework: granting and refusing applications

Appeals

[About this guidance](#) [Request further information](#) [Grant application](#) [Refuse application](#) [Appeals](#) [Reconsiderations](#) [Revoke registration certificates and residence cards](#)	This page tells you what to do if a Croatian national, or a family member of a Croatian national, appeals against your decision to refuse their application for, or revoke, a registration certificate or residence card. 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). In an appeal, you must refer to the relevant person as an 'appellant' as they are no longer an applicant. **Creating the appeal bundle** Index the 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: - 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 the Home Office. Describe each document for example, 'letter from the 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 or	**In this section** **Related links** [Determine appeal rights](#) [Refusal letters](#) [Refuse non EEA national family member](#) [Refuse with no right of appeal](#) [Refuse with right of appeal](#)

date the document.
Refusal – print copies of the letters sent to the appellant when the case was refused:

- 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:

- 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:

- 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:

- 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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Croatian casework: granting and refusing applications

Determine appeal rights

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

The application will be for a:

- blue or yellow registration certificate
- purple registration certificate
- accession residence card, or
- residence card.

This page also tells you the appeal rights when you revoke a Croatian national's registration certificate, accession residence card 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 or revoke residence card	Refuse or revoke accession residence card
May have a right of appeal	May have a right of appeal	May have a right of appeal

Key points about appeal rights
The guidance below summarises appeal rights when you are refusing to issue or revoking a:

- blue, yellow or purple registration certificate, or
- residence card.

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In this section

Step guide for determining appeal rights

Related links
See also
Links to staff intranet removed

External links
Regulation 26 of the Immigration (European Economic Area) Regulations 2006

Schedule 1 to the Immigration (European Economic Area) (Amendment) Regulations 2012

Schedule to the Immigration (European Economic Area) (Amendment) (No. 2) Regulations 2012

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Legal basis
The legal basis for appeal rights is contained in regulation 26 of the Immigration (European Economic Area Regulations) 2006, as amended by:

- 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.

European Economic Area (EEA) nationals
All applicants claiming to be EEA nationals, including Croatian 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.

If the applicant provides this document, they will have a right of appeal against the refusal or revocation of a registration certificate.

If they fail to provide this evidence, there is no right of appeal. For exceptions, see below under: Alternative evidence of identity and nationality.

Non-EEA nationals
The evidence a non-EEA national must provide to have a right of appeal against the refusal or revocation of an accession residence card or residence card will depend on whether they claim to be either:

- an unmarried partner in a durable relationship with an EEA national, or
- a family member or relative of an EEA national.

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:

- their own passport, and

- either:
  - 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 durable relationship with an EEA national.

For further guidance, see related link: European operational policy notice - appeal rights for durable partners.

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:

- their own passport, and
- either:
  - 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.

Proof the applicant is a family member or relative of an EEA national could include, but is not limited to:

- their birth, marriage or civil partnership certificate, as appropriate, and
- 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.

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Croatian casework: granting and refusing applications

Step guide for determining appeal rights

[About this guidance](#) [Request further information](#) [Grant application](#) [Refuse application](#) [Appeals](#) [Reconsiderations](#) [Revoke registration certificates and residence cards](#)	This page provides you with a step guide to work out the appeal rights when refusing an application from a Croatian national, or a family member of a Croatian national, for worker authorisation or residence documentation. The application will be for a: - blue or yellow registration certificate - purple registration certificate - accession residence card, or - residence card. If you are refusing to issue, or deciding to revoke, a registration certificate (European Economic Area (EEA) national), accession residence card 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 Croatian) national?**	**Related links** [Determine appeal rights](#)

Step one: Does the applicant claim to be an EEA (including a Croatian) 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 Croatia)?

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?

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Yes	No
Go to step four.	Go to step five.

Step four: Has the applicant provided:
- their own passport, and
- either:
  - o their EEA family permit, or
  - o sufficient evidence to show they are in a relationship with an EEA national?

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

Step five: Does the applicant claim to be the family member or relative of an EEA national?

Yes	No
Go to step six.	No right of appeal. End of process.

Step six: Has the applicant provided:
- their own passport, and
- either:
  - o their EEA family permit, or
  - o other proof they are related as claimed to the EEA national?

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

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Croatian casework: granting and refusing applications

Reconsiderations

[About this guidance](#) [Request further information](#) [Grant application](#) [Refuse application](#) [Appeals](#) [Reconsiderations](#) [Revoke registration certificates and residence cards](#)	This page tells you what to do if a Croatian national, or a family member of a Croatian national, asks you to reconsider your refusal of their application for worker authorisation or residence documentation. The application will be for a: • blue or yellow registration certificate • purple registration certificate • accession residence card, or • residence card. 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. **What happens if an applicant sends new evidence?** 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. **Return of documents letter** I acknowledge receipt of [list documents] sent to the UK Border Agency/Home Office in support of your / your client's application for [insert application type, for example registration certificate or residence 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 (Croatian Immigration and Worker Authorisation) Regulations 2013 (delete as appropriate).	**In this section** **Related links** [Determine appeal rights](#) [Refusal letters](#) [Refuse non EEA national family member](#) [Refuse with no right of appeal](#) [Refuse with right of appeal](#)

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| | I am therefore returning the enclosed documents to you, as I am unable to undertake a reconsideration of your application.

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).

It is open for you / your client to submit a fresh application enclosing up to date evidence and the required fee, at any time. | |

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Croatian casework: granting and refusing applications

Revoke registration certificates, accession residence cards and residence cards

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This section tells you when and how to revoke a Croatian national's, or a Croatian national family member's, registration certificate, accession residence card or residence card.

Grounds to revoke blue, yellow registration certificates or residence cards
You may revoke a registration certificate or residence card in the following circumstances:

- 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).

Grounds to revoke purple registration certificates
You may revoke a purple registration certificate in the following circumstances:

- If the holder is no longer working for the employer specified on the document.
- Where it has been found that deception has been used in obtaining the document.
- Where the document was obtained on the basis of sponsorship by a licensed sponsor and that sponsorship licence has been withdrawn.

Public policy, public security and public health
All types of registration certificate as well as residence cards can be revoked on the grounds of public policy, public security and public health. An example of where it may be appropriate to revoke a registration certificate or residence card on these grounds is where:

- the holder has been convicted of a crime, and
- criminal casework are deporting or intending to deport the individual.

Revoking their registration certificate, accession residence card or residence card in this instance would be on the basis of public policy.

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External links
Croatia Accession Regulations

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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:

- 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.

For more information see section 3 of related link: 08 Enforcement action taken against EEA nationals and family members.

Loss of right of residence
Examples of where it may be appropriate to revoke a registration certificate, accession residence card or residence card on the grounds that the person no longer has a right to reside in the UK include where the holder:

- 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:
- was issued with a registration certificate as a self-employed person but has stopped self-employed activity and is working illegally
- 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:
  - o they are no longer the family member of that person, or
  - o 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.
- was issued an accession residence card on the basis of being the family member of a Croatian authorised worker but either:
  - o they are no longer the family member or extended family member of a Croatian

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     authorised worker
- o their Croatian sponsor remains subject to worker authorisation and is working without permission, or
- o they submitted a forged or counterfeit passport or ID card as evidence of their identity and nationality in order to obtain their accession residence card.

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:

- Conditions of free movement rights
- 02 Rights of non-EEA national family members.

For guidance on what to do to revoke a registration certificate or residence card see links :
- Revocation process
- Revocation letters.

Appeal rights in revocation cases
See related link: Determine appeal rights.

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Croatian casework: granting and refusing applications

Revocation letters

	This page tells you which revocation notice you must send to a Croatian national, or a family member of a Croatian national, when you revoke their registration certificate or residence card. It also tells you: • 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. **Revocation notices**	**In this section** Revocation process **Related links** Determine appeal rights The Immigration (European Economic Area) Regulations 2006

Revocation notices

Revoke Registration Certificate (Blank)	ECD.3127
Revoke Accession Residence Card / Residence Card (Blank)	ECD.3128
Revoke Registration Certificate (Forged ID)	ECD.3133
Revoke Accession Residence Card / Residence Card (Family member's ID forged)	ECD.3134

Paragraphs to use if the applicant is no longer exercising a treaty right

Letter	Regulation and wording
ECD.3127 (registration certificate)	Regulation 20(2) of the Immigration (European Economic Area) Regulations 2006. 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.

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ECD.3128 (residence card)	Regulation 20(2). 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. 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.	
ECD 3128 (accession residence card)	Regulation 20(2). On [input date] you were issued an accession residence card as confirmation of a right of residence in the United Kingdom as the family member/extended family member of a Croatian authorised worker. However, your Croatian sponsor is working without the relevant authorisation. You have therefore ceased to be the family member/extended family member of a Croatian authorised worker. 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.	
ECD.3050 (registration certificate)	Input the appropriate registration certificate blue or yellow wording. Complete the refusal reasons. At the end of the refusal reasons you must add the following text: 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.	
	ECD.3050 (residence card)	Input the appropriate registration certificate blue or yellow wording. Complete the refusal and/or revocation reasons. At the end of the refusal reasons you must add the following text: 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 case type]. 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.	

Paragraphs to use if revoking a purple registration certificate on grounds of ceasing employment with sponsor/withdrawal of sponsorship license

Letter	Regulation and wording
ECD.3127 (registration certificate)	Regulation 10(3) of Part 3 of the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013 On [input date] you were issued with a purple registration certificate under the Accession (Croatian Immigration ad Worker Authorisation) Regulations 2013 as confirmation of a right to take employment with [insert name of employer on purple registration certificate] As you have ceased to work for the specified employer, you are no longer entitled to the registration certificate and it has been decided to revoke the document with reference to regulation 8(5) of Part 4 of the Accession (Croatian Immigration and Worker Authorisation) Regulations 2013.

ECD.3127 (registration certificate)	Regulation 10(3) of Part 3 of the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013 On [input date] you were issued with a purple registration certificate under the Accession (Croatian Immigration ad Worker Authorisation) Regulations 2013 on the basis of a sponsorship license held by [insert name of licensed employer]. However, on [insert date] the sponsorship license for this employer was withdrawn. As a result you are no longer entitled to the registration certificate and it has been decided to revoke the document with reference to regulation 8(5) of Part 4 of the Accession (Croatian Immigration and Worker Authorisation) Regulations 2013.	

Paragraphs to use if the applicant used a forged or counterfeit passport or ID card

Letter	Regulation and wording
ECD.3133 (registration certificate)	Regulation 20(2) of the Immigration (European Economic Area) Regulations 2013 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.
ICD.3134 (accession residence card / residence card)	Regulation 20(2) of the Immigration (European Economic Area) Regulations 2006. **Evidence of the European Economic Area (EEA) national sponsor's identity and nationality was forged or counterfeit** Replace the first paragraph with: On [input date] you were issued an accession residence card / a

		residence card as confirmation of a right of residence in the United Kingdom as the family member of a Croatian authorised worker / 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 an accession residence card / a residence card as the family member of an EEA national. 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. **Evidence of the non-EEA national's identity and nationality was forged or counterfeit** On [input date] you were issued an accession residence card / 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 an accession residence card / a residence card as the family member of an EEA national. 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.
	ICD.3050 (registration certificate)	Input the appropriate registration certificate blue or yellow wording. Complete the refusal and/or revocation reasons.
	ICD.3050 (residence card)	Input the appropriate residence card wording. Complete the refusal and/or revocation reasons.

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Paragraphs to use if the applicant is no longer a family member of a person exercising a Treaty right

Letter	Regulation and wording
ECD.3128 (residence card)	Regulation 20(2) of the Immigration (European Economic Area) Regulations 2006. On [input date] you were issued with an accession residence card / a residence card as confirmation of a right of residence in the United Kingdom as the family member of a Croatian authorised worker / 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 an accession residence card / a residence card confirming such a right. 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.
ECD.3050 (residence card)	Input the appropriate registration certificate blue or yellow wording. Complete the refusal reasons. At the end of the refusal reasons you must add the following text: 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.

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Paragraphs to use if revoking on grounds of public policy, public health or public security

Letter	Regulation and wording
ECD.3127 (registration certificate)	Regulation 20(1) of the Immigration (European Economic Area) Regulations 2006. 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.
ECD.3128 (accession residence card / residence card)	Regulation 20(1) of the Immigration (European Economic Area) Regulations 2006. On [input date] you were issued an accession residence card / a residence card as confirmation of a right of residence in the United Kingdom as the family member of a Croatian authorised worker / 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. 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.
ECD.3050 (registration certificate)	Input the appropriate registration certificate blue or yellow wording. Complete the refusal and/or revocation reasons.
ECD.3050 (residence card)	Input the appropriate registration certificate blue or yellow wording. Complete the refusal and/or revocation reasons.

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Croatian casework: granting and refusing applications

Revocation process

[About this guidance](#) [Request further information](#) [Grant application](#) [Refuse application](#) [Appeals](#) [Reconsiderations](#) [Revoke registration certificates and residence cards](#)	This page tells you how to revoke a Croatian national's, or a Croatian national family member's, registration certificate, accession residence card or residence card. If you think it is right to revoke a registration certificate, accession residence card or residence card you must complete full case notes in GCID and refer the case to your line manager to authorise. If your line manager authorises the revocation you may start the revocation process. 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. **Refusing an application and revoking a document at the same time** In some cases you may decide to revoke a document at the same time as refusing an application. For example: - 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. In such cases, you must detail the reasons for both the refusal and the revocation on the same RFRL and in GCID case notes. **Revocation process – request document return** You must write to the applicant to request they return their registration certificate or document containing the residence card you want to revoke.	**In this section** **Related links** Links to staff intranet removed **External links** [EEA regulations 2006](#)

Revocation process – destroy or spoil the registration certificate, accession residence cards or residence card

Once you receive the document, revoke it as detailed in the following table.

Registration certificates	Accession residence cards / Residence cards
Photocopy the original and place a copy in applicant's Home Office file. Complete a spoil proforma and forward it, and the registration certificate, to the vignettes unit for destruction.	Photocopy the original and place a copy in applicant's Home Office file. 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. 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. 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.

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.

Revocation process – update GCID and tell applicant
- Enter case outcome in GCID as 'CR Revoke Registration Certificate'.
- Produce and print the correct revocation notice. See related link: Revocation letters.

To complete the notice:

- insert the appropriate regulation number and revocation paragraph for the document type, and

- sign and date the notice.

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:

- 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):

- 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:

- 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:

- 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.

Extra process steps if revoking a non-European Economic Area (EEA) national's residence card

- 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:
  - Harm matrix
  - Transfer or refer a case.

Insert the following two paragraphs into the revocation letter explaining the applicant's human rights decision 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.

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

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link: Appeals.

Applicant has:	Not appealed after six weeks	Appealed
Home Office file	If the applicant is an EEA national: • employment routes workflow team (ERWT) return file to lay-by If the applicant is a non-EEA national: • send file to relevant ICE team or case ownership unit, see related link: Transfer or refer a case.	Caseworker to create appeals bundle. Send on file to APC 1.
No Home Office file	If the applicant is an EEA national: • send retained documents to CRS. If the applicant is a non-EEA national: • 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.	ERWT create Home Office file, link retained documents and pass to caseworker. Caseworker to create appeals bundle and send on file to APC 1.

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

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		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.	

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Croatian casework: granting and refusing applications

Contact

About this guidance Request further information Grant application Refuse application Appeals Reconsiderations Revoke registration certificates and residence cards	This section tells you who to contact for more help with a specific query about granting and refusing applications from Croatian nationals. If you have read the relevant regulations and this guidance and still need more help with this category, you must first ask your senior caseworker or line manager. If the question cannot be answered by your senior caseworker they must discuss it with the deputy chief caseworker. If they cannot answer the question your senior caseworker or line manager can email the European operational policy team. See related link. Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must contact the 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.	**In this section** Changes to this Guidance Information owner **External links** Links to staff intranet removed

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Croatian casework: granting and refusing applications

Information owner

	This page tells you about this version of the 'Croatian casework: granting and refusing applications' guidance, and who owns it. Changes to this guidance can only be made by the modernised guidance team (MGT). If you think the policy content needs amending you must 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.	**In this section** Changes to this Guidance Contacts **Related links** Links to staff intranet removed

Table inside the middle cell:

Version	2.0
Valid from date	10 April 2014
Policy owner	Official – sensitive: information removed
Cleared by director	Official – sensitive: information removed
Director's role	Official – sensitive: information removed
Clearance date	19 June 2013
This version approved for publication by	Official – sensitive: information removed
Approver's role	Official – sensitive: information removed
Approval date	3 April 2014