

Guidance Note

Worker Registration Scheme (WRS)

All nationals of the accession states that joined the EU on 1st May 2004 except citizens of Cyprus and Malta have to apply to the Worker Registration Scheme to work for more than one month for an employer in the UK. The accession states that this applies to are; Poland, Lithuania, Estonia, Latvia, Slovenia, Slovakia, Hungary and Czech Republic.

Applications must be made within 1 month of the start of the employment. Application forms are available from HOPS, www.ind.homeoffice.gov.uk or www.workingintheuk.gov.uk or by telephoning 08705 210 224.

First time applicants must send with their WRS application form:

- A letter from their employer confirming their employment
- Two passport photographs
- Their passport or ID card
- Payment of £90

If the application is successful, the applicant will receive:

- A registration card showing the applicants name, date of birth, nationality and a unique reference number.
- A registration certificate in the form of a letter that authorises the applicant to work for the employer named in the application. A copy is sent to the employer. **The certificate expires on the date the applicant stops working for that employer.**
- The passport or ID card is returned.

Workers changing jobs, returning to the same employer after a break in that employment or returning to work in the UK having previously successfully registered, must register for the new and any subsequent jobs using the same WRS application form. However, second time or subsequent applications, need the reference number shown on the original registration card to be written onto the application form and only the letter from the new employer confirming employment has to be sent with the application. The passport photographs, passport or ID card and payment **are only required for the first application.**

It is important that the registration card is retained for future use. If the registration card or a registration certificate is lost, the applicant's passport or ID card must be submitted with the renewal application with a note stating that the original registration card and certificate is lost. This will enable WRS staff to locate the original case.

Once a worker has been working legally in the UK and registered with the WRS for 12 months without interruption, the worker will have full free movement rights and will no longer need to register with the WRS. The worker can then get an EEA residence permit confirming the right to live in the UK under European Community law. To apply for a residence permit, the worker will need the registration certificates and other evidence of employment to show 12 months' uninterrupted employment.

Residence Permit application forms can be obtained from 0870 241 0645 or www.ind.homeoffice.gov.uk

Information for Employers

Applications for registration are the responsibility of the individual. Employers should however ensure the individual is provided with a letter on company paper confirming the date on which the individual began working. This letter is sent with the application for registration.

The employer is responsible under the regulations for ensuring that they are authorised to employ a worker from one of the eight accession states. The employer is authorised in relation to a worker:

- During the first month of work
- The worker has applied for a registration certificate during that first month of work and until the application is decided
- If the registration certificate is issued

The employer should:

- Take and retain a copy of the individual's completed application form as evidence that they have applied for registration within one month of the person starting work. HOPS also recommends that the applicants passport be photocopied.
- Receive and retain a copy of a valid registration certificate

The employer may be guilty of committing a criminal offence under the legislation if:

- The worker does not apply for a registration certificate within one month of starting work; and
- You do not have a copy of a completed application form; and
- You continue to employ them

If convicted, the maximum penalty an employer will face is £5,000

Further guidance for employers is available from the employers' helpline on 0845 010 6677 or www.ind.homeoffice.gov.uk

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