

The Worker Registration Team will send you a copy of the registration certificate once approved or a copy of the refusal letter.

If you do not receive a copy of the workers' registration certificate within one month of employing them, you can contact the Worker Registration Team on **0114 259 6262** or fax on **0114 259 5961**.

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

Poland

Lithuania

Estonia

Latvia

Slovenia

Slovakia

Hungary

Czech Republic

**Living and Working in the UK -
Rights and Responsibilities of
Nationals from the New Member
States from 1 May 2004**

Informace obsažené v tomto letáčku jsou k dispozici v češtině na:

www.workingintheuk.gov.uk

Selles reklāmlēhes antud informātsiooni on vōimalik leida veebilehekūljelt:

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A kiadványban szereplő információkat magyar nyelven az alábbi címen lehet megtalálni:

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Šio bukletu informaciją lietuviškai galima rasti tinklapyje:

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Informacje zawarte w tej broszurze dostępne są w języku Polskim na

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Informácie v tomto letáku si môžete nájsť na:

www.workingintheuk.gov.uk

Priloženē informacije so tudi v slovenščini na

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What is this leaflet about?

This leaflet explains how nationals of the new member states can enter, live and work in the UK. It tells you how to get more information if you need it.

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Do I need to show my passport or identity card when I enter the UK?

Yes, you will need to show your passport or national identity card when you enter the UK. When you arrive at the port or airport, you should use the separate channel marked EEA/EU where it is available.

Do I have the right to live in the UK?

European Community law gives you the right to live in the UK if:

- you are working in the UK; or
- you have enough money to support yourself without help from public funds.

Can my family join me in the UK?

Yes, if you have the right to live in the UK, your family may join you.

Under European Community law your family includes:

- your husband or wife;
- your, or your spouse's, children or grandchildren (if they are under 21); or if they are over 21 and dependent on you;
- dependent relatives, for example, your, or your spouse's, parents or grandparents; if you are a student only your husband or wife and your dependent children can join you;
- non-European Union unmarried partners if they meet the immigration rules.

Your other relatives such as brothers, sisters or cousins do not have an automatic right to live with you. However, we will consider applications from other relatives to join you if you are working in the UK and:

- your relatives are your dependants; or
- they were living with you before you came to the UK.

How can my family come to live with me in the UK?

Family members who are not nationals of the EEA must get an EEA family permit if they are coming to live with you permanently or long-term. They must get the permit before they travel to the UK. If they try to enter the UK without an EEA family permit they may be refused entry.

Does my non-EEA family need an EEA family permit to visit me in the UK?

Nationals of some countries need a visa to come to the UK. If your family member is a visa national, he or she will need a visa or an EEA family permit to travel to the UK. Family members who are not visa nationals may visit the UK for up to 6 months without a visa or permit, provided they meet the Immigration Rules. You can find out who needs a visa at: www.ukvisas.gov.uk

Am I entitled to a European Union Residence Permit?

People who have full rights of free movement within the European Union can get a residence permit confirming this. You can apply for this permit on form EEC1.

You have full free rights of movement if you are:

- a citizen of Malta or Cyprus working in the UK;
- a citizen of another accession State and you have been working in the United Kingdom legally for 12 months without a break;
- working as a self-employed person;
- or living in the UK as a full time student, or as a retired or self-sufficient person.

If you are unsure of your immigration status please contact the Immigration and Nationality Enquiry Bureau: Tel: 0870 606 7766

How do I apply for a Residence Permit?

You can get application forms from the Application Forms Unit.

Telephone: 0870 241 0645

Text-phone service: 0800 3898289

Or visit: www.ind.homeoffice.gov.uk

The application form explains how you can confirm your status in the UK.

The Worker Registration Scheme

From 1 May 2004, most nationals of the new member states (except Cyprus and Malta) working in the UK will be subject to the Accession State Worker Registration Scheme. Where they are subject to the scheme, they need to register if they plan to work for more than one month for an employer in the UK.

Once you have been working legally in the UK for 12 months without a break you will have full rights of free movement. You can then get an EEA residence permit confirming your status.

Nationals of Malta and Cyprus working in the UK can apply for a residence permit now.

Further details are set out below.

Do I need to register to work in the UK?

You will need to register with the Home Office if:

- you are a national of one of the new Member States (apart from Malta and Cyprus) subject to the Worker Registration Scheme; and
- you start a new job on or after 1 May 2004; or
- you have been working in the UK before 1 May without permission

You will not be subject to the worker registration and therefore do not need to register if one or more of the following applies:

- you are self-employed;
- you have been working legally in the UK for 12 months or more in the job you hold on 1 May 2004;
- you have been working legally in the UK and you stay in the same job after 1 May 2004;
- you were issued with leave to enter the UK before 1 May as a seasonal agricultural worker and took up employment on the Seasonal Agricultural Workers Scheme on or after 1 May;

- you are providing services in the UK on behalf of an employer who is not established in the UK;
- you are also a citizen of the UK, another EEA State (other than one of the 8 new Member States) or Switzerland;
- you are the family member of a Swiss or EEA national (other than one of the 8 new Member States) who is working in the UK;
- you are the family member of a Swiss or EEA national who is living in the UK as a student, or a retired or self sufficient person.

See page 3 for the definition of a family member.

When should I register?

You should apply to register with the Worker Registration Scheme as soon as you start a new job. If you do not apply within one month of starting a job, your employment will be illegal after that date. It will be illegal until you are issued with a registration certificate and you may have to stop working.

How do I apply?

You should complete application form WRS giving your name, address, date of birth, nationality and your employment details.

To get an application form and more information, telephone: **08705 210 224**
Or visit: **www.ind.homeoffice.gov.uk** or **www.workingintheuk.gov.uk**

Send your form to:

**Worker Registration Team
Home Office
Walsall Road
Cannock
WS11 0WS**

We recommend that you use registered post.

If this is your first application, you must send with your application:

- a letter from your employer confirming your employment;
- two passport photographs;
- your passport or ID card; and
- payment of £50.

How should I pay?

You can pay by UK cheque, UK postal order or by credit or debit card. It can take up to 5 days for some payments to clear. A postal order is the quickest way to pay.

What happens next?

If your application is successful, we will send you these papers.

● A registration card.

This includes your name, date of birth, nationality, your photograph and a unique reference number. The registration card is valid for as long as you are registered on the scheme.

● A registration certificate

This is in the form of a letter. This authorises you to work for the employer named in your application. We will send a copy to your employer. The certificate expires on the date you stop working for that employer. If you are no longer working for that employer when the certificate is issued, the certificate is not valid.

● Your passport or ID card

You should keep the registration card and certificate in a safe place.

If your application is not successful, (for example, - if you do not need to register under the scheme) we will send you a letter of refusal and your passport or ID card.

We will refund your payment in full. We will send a copy of the refusal letter to your employer.

What should I do if I change jobs?

If you change jobs, you must apply for a registration certificate under the Worker Registration Scheme authorising you to work for your new employer. You should use the application form WRS.

You must quote the reference number on your registration card and provide details of your new employer.

We will then issue you with a new certificate naming your new employer. We will send a copy of the certificate to your new employer. You should keep the new certificate as well as your original certificate and photo registration card.

Do I have to pay when I apply for another registration certificate?

No, you only have to pay the first time you apply to the Worker Registration Scheme and are issued with a registration card.

Can I have more than one job at the same time?

Yes, but you must apply for a registration certificate for each employer you are working for.

Who is my employer?

Your employer is the person who directly pays your wages or salary.

Do I still have to apply for a registration certificate if I change jobs while working for the same employment agency?

No, if there is no break in your employment, you continue to be authorised to work for the employment agency, regardless of the job you are doing. If there is a break in your employment of more than a month you will need to apply for a registration certificate when you start work again.

What if my employment ends?

If you are already claiming child benefit or tax credits and your employment ends you should contact the Child Benefit international enquiry line on **0845 302 1454**.

What should I do if I lose my registration card or certificate?

You should contact the Worker Registration Team.

What are the benefits of registering on the Worker Registration Scheme?

Once you have been working legally in the UK for 12 months, without interruption, you will have full free movement rights and will no longer need to register on the Worker Registration Scheme. You can get an EEA residence permit confirming your right to live in the UK under European Community law.

What counts as 12 months' uninterrupted work?

'Uninterrupted work' means you must not be out of work for more than a total of 30 days in 12 months. You will need your registration certificates and other evidence of employment to show 12 months' uninterrupted employment.

Can I take time off work?

Yes, but your time off work must be paid holiday and not a break in employment.

What are the advantages of registering?

It is in your interest to register as soon as you start a job. This will allow you to start accruing time towards 12 months' uninterrupted employment and it will enable you to get full rights of free movement at the end of the 12 months.

Your employer will not be authorised to employ you for more than one month if you have not applied to register within that time.

Is there a quota for the Worker Registration Scheme?

There is no quota. People who find work in the UK and can support themselves will be welcome.

Do I have to pay tax and National Insurance?

You have to pay Tax and National Insurance Contributions when your UK income reaches a certain level. This is arranged through your employer and usually taken from your salary.

If you have worked in the UK before and are concerned about your tax and NIC position for earlier periods, you can contact the Inland Revenue tax and benefits confidential helpline on **0845 608 6000**.

Do I have to have a National Insurance Number?

Yes, you will need a National Insurance Number to give to your employer to make sure any NI contributions are correctly recorded. If you do not already have a number, you should contact your nearest Department for Work and Pensions office if you are in England, Scotland and Wales. If you are in Northern Ireland you should contact the Department for Social Development. Your employer may help you do this, though applying for a National Insurance Number is your responsibility.

If you have worked in the UK before, such as on a Work Permit, a Sectors Based Scheme permit, under the Highly Skilled Migrant Programme or on a Seasonal Agricultural Workers' Scheme work card, you should already have a National Insurance number.

What do I do if I am self-employed?

You must register with the Inland Revenue immediately by telephoning **0845 915 4515**. There is a penalty of £100 for late registration.

What other deductions can my employer make from my wages?

Apart from tax and National Insurance, employers can only take money from your wages for accommodation and transport. The law limits the amount that they can take for accommodation.

Your employer may ask you to sign a separate agreement for these deductions. If you are not given any choice about where you live or what services you use, these deductions may be illegal. Before signing any agreement, ask for advice from the Citizens Advice Bureau or the minimum wage help line on page 12 of this leaflet.

Can my employer keep my passport?

Your passport belongs to your national Government and no one else should keep it.

How much should I be paid?

Most people who work in the UK have a right to be paid at least the National Minimum Wage. If you don't know how much you should be paid under this law, or you think that your pay is less than the National Minimum Wage, you can call the help line on **0845 6000 678**.

How many hours can I work?

There is a legal limit on the average working hours, rest breaks, and paid annual leave for most jobs in the UK. You should check if your job is covered and ensure that you and your employer are not breaking the conditions. You can do this by calling the Department of Trade and Industry on **0845 6000 925** or by visiting: **www.dti.gov.uk**.

Will I get time off?

If you work full time you are entitled to four weeks paid holiday per year; so for example if you have a one year contract and work five days per week, you are entitled to 20 days holiday. These may however include public holidays, so you should check your contract to find out your holiday entitlement.

If you have not taken all the holidays that you are entitled to when your employment ends, your employer must pay you for the days that you have not taken.

How can I find new work?

Your nearest Jobcentre or Jobcentre Plus office may be able to help you to find new work. Or you may be able to work through a temporary work agency.

These agencies provide workers to other companies. The agency recruits the worker, pays their wages and may provide accommodation and transport. The work, however, is completed for the second company and that company decides how the work is carried out.

If you work for an agency, the agency will pay your wages and take tax and National Insurance.

What should I do if I am worried about my health and safety at work?

Your employer and the person who controls your workplace have a duty to protect your health, safety and welfare. They must control any risks from your work that will cause injury or ill health.

Your employer has to give you information about any risks to your health and safety and instruct and train you where necessary.

If you are worried about health and safety in your workplace, first tell your boss or your safety representative or trade union representative, if you have one.

If you are still not happy, you can contact the Health and Safety Executive's Infoline on **08701 545500**. If you would like to speak to someone in your own language, tell the operator which language. They treat all contacts in strictest confidence.

Who to contact for more information

Home Office Worker Registration Team

Moorfoot

Sheffield S1 4PQ

Tel: **0114 259 6262**

Email: **wpcustomers@ind.homeoffice.gsi.gov.uk**

Website: **www.workingintheuk.gov.uk**

Immigration and Nationality Enquiries Bureau (INEB)

Tel: **0870 606 7766**

Department for Work and Pensions

Tel: **0207 712 2171**

Website: **www.dwp.gov.uk**

Jobcentre Plus website: **www.jobcentreplus.gov.uk**

National Minimum Wage Helpline

Tel **0845 6000 678**

Newly Self-employed Helpline

Tel **08459 15 4515**

Health & Safety Executive

HSE Infoline
Caerphilly Business Park
Caerphilly
CF83 3GG
Tel: **08701 545500**
Minicom: **02920 808537**
Email: **hseinformationservices@natbrit.com**
Website: **www.hse.gov.uk**

Agricultural Wages Board Helplines

England or Wales	0845 000 134
Scotland	0131 244 6392
Northern Ireland	02890 520813 or 02890 524492

Police

If you think your employer is exploiting or mistreating you or other workers, contact your local police station. The telephone number is in the local telephone directory.

Citizens' Advice Bureau

The Citizens' Advice Bureau provides free, confidential and impartial advice. They can help you solve problems including debt, housing, legal matters and employment matters. Citizens' Advice Bureaux are in most towns. You can find them in the local telephone directory, or visit: **www.citizensadvice.org.uk**.

Inland Revenue

The Inland Revenue provides advice on taxation, National Insurance Contributions, National Minimum Wage, Tax Credits and Child Benefit. You can find the nearest office in the local telephone directory, or visit: **www.inlandrevenue.gov.uk**

Trade Unions

In many jobs there will be a trade union representing the rights of people who work there. These rights include: the right to the national minimum wage, the right to breaks, holidays and holiday pay; the right to health and safety protection; the right to join a union; the right to protection from unfair discrimination.

If you have a problem, you should contact a trade union, or the TUC's 'Know Your Rights Line' on **0870 600 4882**. You can get more detailed information about rights from: www.tuc.org.uk

Learn Direct

Learn Direct is an organisation that can provide free advice on English language learning in your area. There may be a charge for the courses that are available. Helpline: **0800 100900**

Information for employers

The Worker Registration Scheme is designed to be a streamlined registration system, which does not impose additional or unnecessary burdens on you as a potential employer of a national from one of the eight Accession States.

Applications for registration are the responsibility of the individual. You should however ensure that the individual is provided with a letter on company paper confirming the date on which the individual began working. The individual will need this when applying for registration.

You will be responsible under the regulations for ensuring that you are authorised to employ a worker from one of the eight Accession States. You are an authorised employer in relation to a worker during the first month of work. If the worker has applied for a registration certificate during that one-month period, you will be an authorised employer until the application is decided. You will continue to be an authorised employer if the registration certificate is issued.

You 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 for you;
- receive and retain a copy of a valid registration certificate.

You may be guilty of committing a criminal offence under new legislation if:

- the worker does not apply for a registration certificate to the Home Office within one month of starting work for you; 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 £5000.