

JobShop Factsheet: A2 Accession States – Bulgaria and Romania



Bulgarians and Romanians are currently subject to several restrictions when seeking to work in the UK.

What do I do if I'm a student and want to work part time? What's a 'Yellow Card'?

If you are a student in the UK, you can engage in employment for up to 20 hours a week during term time and full time work during vacation periods from their course *without* obtaining an Accession Worker Card!

However, you must *first* obtain a Registration Certificate confirming that you are exercising a Treaty Right as a student. To apply for a registration certificate you should use application form BR1, which will get you a Yellow Card.

If you wish to work for more than 20 hours a week during term time you will need to obtain an Accession Worker Card for this purpose, unless the work is part of your vocational training.

What if I want to work full time, what are the restrictions?

The following type of person is exempt from restriction:

- You had leave to enter or remain under the Immigration Act 1971 on 31st December 2006 and that leave did not place any restrictions on taking employment in the UK or you have been issued with leave after that date.
- You have been working with permission, and without interruption, in the UK for a period of 12 months ending on or after 31st December 2006.
- You are also a citizen of the UK, Switzerland, or another EEA state, other than Bulgaria or Romania;
- You are the family member of a non A2 EEA national exercising a Treaty Right in the UK, or the spouse, or civil partner of a British citizen or person with settlement in the UK.
- You are the family member of a Bulgarian or Romanian who is exercising a Treaty Right as a student, self sufficient person or self employed person. You will remain exempt provided that their sponsor remains a student, self sufficient person or self employed.

Last updated: 26 March 2009

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I'm not exempt from the restrictions so do I need an Accession Worker Card?

If you want to work full time, you will need to apply for an Accession Worker Card. For certain categories of employment, you can apply for an Accession Worker Card without the need for an employer to apply for a work permit.

These categories are:

- airport-based operational ground staff of an overseas airline
- au pair placements
- domestic workers in a private household
- minister of religion, missionary or a member of a religious order
- overseas government employees
- postgraduate doctors, dentists and trainee general practitioners
- private servants in a diplomatic household
- representatives of an overseas newspaper, news agency or broadcasting organisation
- sole representatives of overseas businesses
- teachers and language assistants on approved exchange schemes
- overseas qualified nurses undertaking supervised practice

If the employment does not fall into one of the categories above, then:

- a) Your employer will first need to obtain a letter of approval of the employment from the Border and Immigration Agency. Approvals under the work permit arrangements are generally only given for skilled jobs and where suitably qualified resident labour is unavailable to fill the vacancy. This makes it difficult to get approval in practise.
- b) Once the employer obtains a letter of approval they should then submit the letter along with valid identification, on a completed BR3 form, for you to gain an Accession Worker Card and then work full time legally.

More information on A2 Accession States from the UK Border Agency can be found at www.ukba.homeoffice.gov.uk/workingintheuk/eea/bulgariaromania/applying