
STATUTORY INSTRUMENTS

2006 No. 3317

**The Accession (Immigration and
Worker Authorisation) Regulations 2006**

PART 2

Immigration

Issuing registration certificates and residence cards to nationals of Bulgaria and Romania and their family members during the accession period

7.—(1) Subject to paragraph (2), an accession State national subject to worker authorisation shall not be treated as a qualified person for the purposes of regulations 16 and 17 of the 2006 Regulations (issue of registration certificates and residence cards) during the accession period unless he falls within sub-paragraphs (c), (d) or (e) of regulation 6(1) of the 2006 Regulations.

(2) The Secretary of State shall issue a registration certificate to an accession State national subject to worker authorisation on application if he is satisfied that the applicant—

- (a) is seeking employment in the United Kingdom; and
- (b) is a highly skilled person.

(3) Where the Secretary of State issues a registration certificate during the accession period to a Bulgarian or Romanian national under paragraph (2) or in any case where he is satisfied that the Bulgarian or Romanian national is not an accession State national subject to worker authorisation, the registration certificate shall include a statement that the holder of the certificate has unconditional access to the United Kingdom labour market.

(4) A Bulgarian or Romanian national who holds a registration certificate that does not include a statement that he has unconditional access to the United Kingdom labour market may, during the accession period, submit the certificate to the Secretary of State for the inclusion of such a statement.

(5) The Secretary of State shall re-issue a certificate submitted to him under paragraph (4) with the inclusion of a statement that the holder has unconditional access to the United Kingdom labour market if he is satisfied that the holder—

- (a) is a highly skilled person; or
- (b) has ceased to be an accession State national subject to worker authorisation other than solely by virtue of falling within regulation 2(10).

(6) A registration certificate issued to a Bulgarian or Romanian student during the accession period shall include a statement that the holder of the certificate is a student who has access to the United Kingdom labour market for 20 hours a week, unless it includes a statement under paragraph (3) or (5) that the holder has unconditional access to the United Kingdom labour market.

(7) But this regulation is subject to regulation 20 of the 2006 Regulations (power to refuse to issue and to revoke registration certificates).