

Communication Notice

Issued By
European Casework

Subject: Applications under ECJ *Ruiz Zambrano*

Start Date	08-Nov-12	Expiry Date	Until Replaced
To:	All NWEuro Staff	Date of Issue	TBC

This instruction replaces PIN 18/2011 and PIN 65/2011 which are now withdrawn

Following the changes to the Immigration (European Economic Area) Regulations 2006 on 8th November 2012, applications made on the basis on the ECJ *Ruiz Zambrano* should now be considered by EO Caseworking staff in line with the attached European Policy Notice (EOPN 21/2012).



Notice 21-2012 -
Zambrano (2).doc

Front End

A person submitting a Zambrano application should be issued with a Certificate of Application giving them the right to work. The Zambrano COA is now obsolete and should not be used.

EO Caseworkers:

Prior to consideration, you should ensure that the Casetype on G-CID is amended to:

EEA – Zambrano

This is essential as this will ensure that the correct Vignette is produced should the case be an Issue. Vignettes in *Zambrano* cases will have the following wording which differentiates them from EEA Vignettes:

Type Of Document: **Derivative Residence Card**

Remarks: **Employment and Business Activities Allowed**

Caseworkers will need to ensure that they have sufficient, up-to-date information and evidence to support their consideration of each case on its individual merits. The attached letter has been approved for this purpose.

[REDACTED]

Caseworkers should include the new *Derivative Rights* application form DRF1 (attached) with their write-out letter. It is not mandatory that the applicant complete the application form as long as they provide the information/evidence required by the Caseworker in their response. For this reason, caseworkers should reference the relevant sections of the application form within the write-out letter.



FORM DRF1 - DRAFT
1.2 (clean).docx

The write-out letter will be uploaded to Docs Gen in due course. In the meantime, caseworkers should cut and paste the letter into Docs Gen.

Should the decision be to **Issue**, caseworkers should take the appropriate actions in G-CID. However, ECD 3108 is not appropriate for *Zambrano* case types and should not be used. The attached version should accompany all *Zambrano* Issues. This letter will be uploaded to Docs Gen in due course. In the meantime, caseworkers should cut and paste the letter into Docs Gen and print off a copy which should be enclosed with the documents for SHA to despatch.

[REDACTED]

Any issues should be escalated via SCWs in the usual way.

Author	[REDACTED]	[REDACTED]	[REDACTED]
Grade	[REDACTED]	Date of Approval	14-Dec-12
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