

**THE 2007 LAW ON THE RIGHT OF UNION CITIZENS  
AND THEIR FAMILY MEMBERS TO MOVE AND RESIDE FREELY  
IN THE TERRITORY OF THE REPUBLIC**

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**LAW ON THE RIGHT OF CITIZENS OF THE UNION AND THEIR FAMILY  
MEMBERS TO MOVE AND RESIDE FREELY  
WITHIN THE TERRITORY OF THE REPUBLIC**

For the purpose of harmonization with the European Community  
with title: -

O.J., of EU: L 158, 30.4.2004, p.77 “Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States for amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC and 93/96/EEC”.

The House of Representatives votes as follows:

**PART I**

**GENERAL PROVISIONS**

- |                |   |
|----------------|---|
| Precise title  | 1. The present Law shall be referred as the Law (2007) on the Right of the Union citizens and their family members to move and reside freely within the territory of the Republic |
| Interpretation | 2. For the purposes of the present Law, unless a different meaning is concluded by the text-  |

“a relevant authority” means the Minister or the officer duly authorized by the Minister

“passport” means a valid passport and includes any valid travel document recognized as valid by the Republic.

Chapter 105

2 of 1972

54 of 1976

50 of 1988

197 of 1989

100(I) of 1996

43(I) of 1997

14(I) of 1998

22(I) of 2001

164(I) of 2001

88(I) of 2002

220(I) of 2002

68(I) of 2003

178(I) of 2004

“marriage of convenience” has the meaning as it is defined in the Aliens and Immigration Law, which is considered as such based on the procedures provided in the Law therein

“regions controlled by the government of the Republic” means the regions of the Republic of Cyprus in which the government exercises efficient control;

“visa” has the same meaning as it is defined in the Aliens and Immigration Law;

“Union citizens” means any person having the nationality of a Member State, other than the Republic, including persons having the nationality of any state conducting the EEA agreement, as defined in Article 17 of the Treaty;

“Member State” means a Member State of the European Union or/and a member conducting the EEA agreement

“family member” means:

- a) The spouse of a Union citizen
- b) The direct descendants of a Union citizen, who are under the age of 21 or are his dependants and those of the spouse,
- c) The dependant direct relatives in the ascending line and those of the spouse

“spouse” does not include the partner of a marriage of convenience;

“Treaty” means the Treaty establishing the European Community;

“state conducting the EEA agreement” means a conducting state undersigned the European Economic Area agreement signed in Oporto on the 2<sup>nd</sup> of May 1992 and ratified by the Association Agreement of the Czech Republic, the Republic of Estonia, the

Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Hungary, the Republic of Poland, the Republic of Slovenia and the Republic of Slovakia to participate in the European Economic Area and by the Final Act (Ratifying Law) of 2004.

“Department” means the Civil Registry and Migration Department of the Ministry of Interior;

“Department of Labour” means the Department of Labour of the Ministry of Labour and Social Insurance including the District Labour Offices;

“Social Welfare Services” means the Social Welfare Services of the Ministry of Labour and Social Insurance including the District Offices of Social Welfare Services;

“Social Insurance Services” means the Social Insurance Services of the Ministry of Labour and Social Insurance including the District Offices of Social Insurance;

“Minister” means the Minister of Interior;

Purpose of the present Law

3. The present Law lays down-

- a) The conditions and formalities governing the exercise of the right of free movement and residence within the territory of the Republic by Union citizens and their family members;
- b) The conditions and formalities governing the exercise of the right of permanent residence in the territory of the Republic for Union citizens and their family members; and
- c) The limits placed on the rights set out in a) and b) on grounds of public order, public security and public health.

Scope of the present Law

4. - (1) The present Law shall apply to all Union citizens who move to or reside in the Republic and to their family members, irrespective of their nationality, who accompany or join them in the Republic.

- (2) Without prejudice to any right to free movement and residence the persons concerned may have their own right, the entry and residence in the Republic is facilitated in accordance with the Aliens and Immigration Law, for the following persons:

(a) Any other family members, irrespective of their nationality, not falling under the definition “family member” in Article 2, who, in the country from which they have come, are dependants or members of the household of the Union citizen having the primary right of residence, or where serious health grounds strictly require personal care of the family member by the Union citizen; and

(b) the partner with whom the Union citizen has a durable relationship, duly attested.

-(3) For the purposes of implementation of section (2), the relevant authority examines extensively the personal condition of the persons mentioned in the section therein, getting interviews from the interested persons where this is required, and shall justify any refusal to these persons to entry or reside in the Republic.

-(4) In the case where there is a doubt and, in order to verify whether there is a durable relationship, in the meaning of paragraph. (b) of section (2), the provisions of Article 7A and 7B of the Aliens and Immigration Law according to the marriage of convenience are applied *pari-pasu*.

-(5) Wherever the present Law refers to the obligation of any person to have adequate resources or refers to the retention of the right of residence by Union citizens or their family members upon the condition that they do not become a burden on the social welfare system of the Republic, the Social Welfare Services are the relevant authority to ensure these conditions are met.

## **PART II**

### **RIGHTS OF ENTRY AND EXIT**

- Right of entry
5. (1) Without prejudice to the provisions on travel documents applicable to national boarder controls of Regulation (EC) No 562/2006 of the European Parliament and the Council of 15<sup>th</sup> March 2006, establishing a Community Code on the rules governing the free movement of persons across borders (Schengen Borders Code), the Republic shall permit Union citizens to enter its territory with a valid identity card or passport and

shall permit family members who are not nationals of a Member State to enter its territory with a valid passport.

(2) No entry visa or equivalent formality may be imposed on Union citizens

O.J. of EU: L  
81,  
21.3.2001,  
p.77

(3) (a) Family members of a Union citizen, who are not nationals of a Member State shall only be required to have an entry visa in accordance with the provisions of Regulation (EC) No 539/2001 of the Council of the 15<sup>th</sup> March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, as this list is amended each time, or where appropriate in accordance with the provisions of the Aliens and Immigration Law regarding the obligation for a visa, depending on the case:

It is evident that possession of the valid residence card referred to in Article 12 or a relevant residence card issued by the relevant authorities of another Member State exempt such family member from the visa requirement.

(b) The relevant consular authorities of the Republic shall grant persons to whom paragraph (a) applies, every facility to obtain the necessary visas, which shall be issued free of charge as soon as possible on the basis of an accelerated procedure.

(4) The relevant authorities of the Republic shall not place an entry or exit stamp in the passport of family members who are not nationals of a Member State provided that they present the residence card provided in Article 12 or any equivalent residence card issued by the relevant authorities of another Member State.

(5) Where a Union citizen, or a family member who is not a national of a Member State, does not have the necessary travel documents or, if required the necessary visas, the relevant authority before turning them back, shall give such persons every reasonable opportunity to obtain the necessary documents or have them brought to them within a reasonable period of time, depending on the case, or to corroborate or prove by other means that they are covered by the right of free movement and residence.

Right of exit            6. Without prejudice to the provisions on travel documents applicable to national boarder controls of Regulation (EC) No 562/2006 of the European Parliament and the Council of 15<sup>th</sup> March 2006, establishing a Community Code on the rules governing the free movement of persons across borders (Schengen Borders Code), all Union citizens with a valid identity card or passport and their family members who are not nationals of a Member State and who hold a valid passport shall have the right to leave the territory of the Republic to travel to another Member State.

Exit formalities            7. No exit visa or equivalent formality may be imposed on the persons to whom Article 6 applies.

**PART III**

**RIGHT OF RESIDENCE**

**CHAPTER I**

**BENEFICIARIES**

Right of  
residence up  
to three  
months

8. –(1) Union citizens shall have the right of residence on the territory of the Republic for a period of up to three months without any conditions or any formalities other than the requirement to hold a valid identity card or passport.

(2) The provisions of section (1) shall also apply to family members in possession of a valid passport who are not nationals of a Member State, accompanying or joining the Union citizen.

Right of  
residence for  
more than  
three months

9. –(1) All Union citizens shall have the right of residence in the territory of the Republic for a period of longer than three months if they-
- a) are workers or self-employed persons in the Republic;  
or
  - b) have efficient resources for themselves and their family members not to become a burden to the social welfare system of the Republic, during their period of residence and also have comprehensive sickness insurance cover in the Republic; or
  - c) are enrolled at a private or public establishment, accredited or financed by the Republic on the basis of the legislation each time in force in the Republic or administrative practice, for the principal purpose of following a course of study, including vocational training and have comprehensive sickness insurance cover in the Republic and assure the relevant national authority, by means of a declaration or by such an equivalent means as they may choose, that they have sufficient resources for themselves and their family members not to become a burden on the social welfare system of the Republic during their period of

residence; or

- d) are family members accompanying or joining a Union citizen who satisfies the conditions referred to in paragraphs (a), (b) or (c) of the present section

(2) The right of residence provided in paragraph 1 shall extend to family members who are not nationals of a Member State, accompanying or joining the Union citizen in the Republic, provided that such Union citizen satisfies the condition referred to in section 1 (a), (b) or (c).

(3) By way of derogation from sections (1) d and (2) above, only the spouse and the dependent children shall have the right of residence as family members of a Union citizen meeting the conditions under (1) c of the present Article.

It is evident that Article 4(2) shall apply to his/her dependent direct relatives in ascending lines and those of his/her spouse.

(4) For the purpose of section (1) a, a Union citizen who is no longer or self-employed person shall retain the status of worker or self-employed person in the following circumstances:

- a) he/she is temporarily unable to work as the result of an illness or accident;
- b) he/she is in duly recorded involuntary unemployment after having been employed for more than one year and has registered as a job-seeker with the Department of Labour;
- c) he/she is in duly recorded involuntary unemployment after completing a fixed-term employment contract of less than a year or after having become involuntarily unemployed during the first twelve months and has

registered as a job-seeker with the Department of Labour. In this case, the status of worker shall be retained for no less than six months; or

d) he/she embarks on vocational training. Unless he/she is involuntarily unemployed, the retention of the status of worker shall require the training to be related to the previous employment.

(5) The Department of Labour shall attest that the conditions of paragraphs (b) and (c) of the above section are met.

## CHAPTER II

### ADMINISTRATIVE FORMALITIES

Registration of  
a Union citizen  
and their  
family  
members who  
are  
themselves  
Union citizens.

10.– (1) Despite the relevant respective provisions for the registration in the Aliens and Immigration Law and the Regulations issued under this Law and also in the Civil Registry Law, the Union citizens and their family members who are themselves Union citizens shall be required to be registered in the Civil Registry of the Republic, for periods of residence longer than three months according to the provisions of the present Law, and this shall be done within four months from the date of arrival.

O.J.of EU,  
Appendix  
Three:

22.12.1972

23.11.1984

27.12.1986

30.01.1987

11.11.1988

18.05.1990

08.11.1991

17.04.1991

15.04.1994

06.12.1996

21.07.2000

31.12.2002

26.07.2002

30.04.2000

141(l) of 2002

65(l) of 2003

76(l) of 2003

62(l) of 2004

13(l) of 2006

Appendix I

(2) A registration certificate shall be issued immediately by the relevant authority, on the Form of Appendix I of the present Law and the name, the address of the person registering and the date of registration shall be stated.

(3) Failure to comply with the registration requirement shall make the person concerned liable to pecuniary penalty, not higher than one thousand five hundreds Cyprus pounds (C£500).

Appendix II

(4) For the registration certificate mentioned in section (2) to be issued, an application is required, submitted on the Form of Appendix II of the present Law and a payment of five Cyprus pounds (C£5) as a fee and also the following documents to be presented:

- a) Union citizens to whom paragraph (a) of section (1) in Article 9 applies, present a valid identity card or passport, a confirmation of engagement from the employer or a certificate of employment, or a certification of registration at the Social Insurance Services as self-employed persons;
- b) Union citizens to whom paragraph (b) of section (1) in Article 9, present a valid identity card or passport and the following documents attesting that such persons meet the conditions laid down therein-
  - i. Fixed and adequate revenue obtained by employment outside the Republic; or
  - ii. Fixed and adequate revenue obtained by other sources of legal nature; or
  - iii. Deposits of adequate amounts in banks of the Republic or abroad
  - iv. Proof of comprehensive sickness insurance cover in the Republic.
- c) Union citizens to whom paragraph (c) of section (1) of the Article 9, present a valid identity card or passport, a proof of registration in a private or public establishment, accredited or financed by the Republic for the principal purpose of following a course of study, including vocational training and have comprehensive sickness insurance cover in the Republic and assure the relevant national authority, by means of a declaration or by such an equivalent means as they may choose, that they have sufficient resources for themselves and their family members not to become a burden on the social welfare system of the Republic during their period of their residence.

(5) The relevant authority may not lay down a fixed amount, which they regard as “sufficient resources”. But they must take into account the personal situation of the person concerned. In all cases this amount shall not be higher than the threshold below which nationals of the Republic become eligible for social assistance or, where this criterion is not applicable, higher than the minimum social security pension paid by the Republic.

Appendix II

(6) For the registration certificate to be issued to family members of Union citizens, who are themselves Union citizens an application is required, submitted on the Form of Appendix II of the present Law and a payment of ten Cyprus pounds (C£10) as a fee and also the following documents to be presented:

- a) a valid identity card or passport;
- b) a document attesting to the existence of a family relationship;
- c) where appropriate, the registration certification of the Union citizen whom they are accompanying or joining;
- d) in cases falling under paragraphs (b) and (c) under the definition “family member” as it is laid down in Article 2, proof of the existence of a family relationship and the fact that these family members are dependants of the Union citizen;
- e) in cases under paragraphs (a) of section (2) of Article 4, a document issued by the relevant authority in the country of origin or country from which they are arriving certifying that they are dependants or members of the household of the Union citizen in the country therein, or proof of the existence of serious health grounds which strictly require the personal care of the family member by the Union citizen and

- f) in cases under paragraphs (b) of section (2) of Article 4, proof of the existence of a durable relationship with the Union citizen.

Residence  
cards for  
family  
members who  
are not  
nationals of a  
Member State

11. - (1) The relevant authority shall issue a residence card to family members of a Union citizen who are not nationals of a Member State according to the following sections, provided that the planned period of residence in the Republic is for more than three months.

(2)(a) The deadline for submitting the residence card application is four months from the date the family member of the Union citizen arrives in the Republic. Immediately after the application submission for issuing a residence card and the payment of twenty Cyprus pounds (C£20) as a fee the relevant authority shall issue a certificate attesting submission of the application therein.

(b) Failure to comply with the requirement to apply for a residence card shall make the person concerned liable to a pecuniary penalty not higher than one thousand five hundreds Cyprus pounds (C£1500).

Issue of  
residence  
cards

12. - (1) The right of residence of family members of a Union citizen who are not nationals of a Member State shall be evidenced by the issuing of a document called "Residence card of a family member of a Union citizen" by the relevant authority no later than six months from the date on which they submit

Appendix III the application. This application shall be submitted on the Form of Appendix III of the present Law.

Appendix IV (2) For the issuing of the mentioned in section (1) residence card, as this is shown in Appendix IV of the present Law, the family members of a Union citizen are required to present the following documents:

- a) a valid passport;
- b) a document attesting to the existence of a family relationship
- c) the registration certificate in the Republic of the Union citizen whom they are accompanying or joining, where it is applied;
- d) in cases under paragraphs (b) and (c) under the definition “family member” as it is laid down in Article 2, proof of the existence of a family relationship and the fact that these family members are dependants of the Union citizen;
- e) in cases under paragraphs (a) of section (2) of Article 4, a document issued by the relevant authority in the country of origin or country from which they are arriving certifying that they are dependants or members of the household of the Union citizen in the country therein, or proof of the existence of serious health grounds which strictly require the personal care of the family member by the Union citizen and
- f) in cases under paragraphs (b) of section (2) of Article 4, proof of the existence of a durable relationship with the Union citizen.

Validity of the residence card 13. - (1) The residence card, provided in section (1) of Article 12, shall be valid for five years from the date of issue or for the planned period of residence of the Union citizen, if this period is less than five years.

(2) In the case that the validity period of the residence card is for less than five years and its holder has not departed from the Republic, this person is required to submit for issuing a new residence card after the expiry of this validity and this shall be done no later than one month after the expiry date of the previous residence card.

(3) Failure to comply with the provisions of section (2) of the present Article shall make the person concerned liable to a pecuniary penalty not higher than one thousand five hundreds Cyprus pounds (C£1500).

(4) The validity of the residence card shall not be affected by temporary absences not exceeding six months a year, or by absences of a longer duration for compulsory military service or by one absence of a maximum 12 consecutive months for important reasons such as pregnancy and childbirth, serious illness, study or vocational training, or a posting in another Member State or a third country.

(5) The validity of the residence card is stopped when the absence is over the periods of time mentioned in section (4) above.

**PART IV**

**RIGHT OF PERMANENT RESIDENCE**

**CHAPTER I**

**BENEFICIARIES**

General rule  
for Union  
citizens and  
their family  
members

14. - (1) Union citizens who have resided legally for a continuous period of five years in the Republic shall have the right of permanent residence. This right shall not be subject to the conditions provided in PARTS III and VI.

(2) The provisions of section (1) shall also apply to family members who are not nationals of a Member State and have legally resided with the Union citizen in the Republic for a continuous period of five years.

(3) Continuity of residence shall not be affected by temporary absences not exceeding six months a year, or by absences of a longer duration for compulsory military service or by one absence of a maximum 12 consecutive months for important reasons such as pregnancy and childbirth, serious illness, study or vocational training, or a posting in another Member State or a third country.

(4) Once acquired the right of permanent residence shall be lost only through absence from the Republic for a period exceeding two consecutive years.

Exemptions  
for persons no  
longer working  
in the  
Republic and  
their family  
members.

15. - (1) By way of derogation from the provisions of Article 14, the right of permanent residence in the Republic shall be enjoyed before completion of a continuous period of five years of residence by-

- a) workers or self-employed persons who at the time they stop working, have reached the age laid down by the legislation in force, at each time in the Republic, on social insurance for the entitlement to an old age pension or workers who cease paid employment to take early retirement, provided that they have been working in the Republic for at least the preceding twelve months and have resided in the Republic for more than three years;
- b) workers or self-employed persons who, have resided continuously in the Republic for more than two years and stop working in the Republic as a result of permanent incapacity to work:

It is evident that if such incapacity is the result of an accident at work or an occupational disease entitling to a pension payable in full or in part by the Social Insurance Services or other benefit payable in full or in part to the person concerned by the relevant institution under the terms of another relevant law, no conditions shall be imposed as to length of residence;

- c) workers or self-employed persons who, after three years of continuous employment and residence in the Republic,

work in an employed or self-employed capacity in another Member State, while retaining their place of residence in the Republic, to which they return, at least once a week.

(2) For the purposes of entitlement to the rights referred to in paragraphs (a) and (b) of section (1), periods of employment in the Member State in which the person concerned is working shall be regarded as having been spent in the Republic. Periods of involuntary unemployment duly recorded by the Department of Labour, periods not worked for reasons not of the person's own making and absences from work or cessation of work due to illness or accident shall be regarded as periods of employment.

(3) The conditions as to length of residence and employment laid down in paragraph (a) of section (1) and the condition as to length of residence laid down in paragraph (b) of the same section shall not apply if the worker's or the self-employed person's spouse is a national of the Republic.

(4) Irrespective of nationality, the family members of a worker or a self-employed person who are residing with him in the territory of the Republic shall have the right of permanent residence, if the worker or self-employed person has acquired himself the right of permanent residence in the Republic under the provisions of section (1):

It is evident that if the worker or self-employed person dies while still working but before acquiring permanent residence status in the Republic, under the provisions of section (1), his family members who are residing with him in the Republic shall acquire the right of permanent residence in the Republic, on condition that:

- a) the worker or self-employed person had, at the time of death, resided continuously on the territory of the Republic; or
- b) the death resulted from an accident at work or an occupational disease.

Acquisition of the right of permanent residence by certain family members who are not nationals of a Member State.

16. Without prejudice to provisions of Article 15, the family members of Union citizens to whom section (2) of Article 25 and section (2) of Article 26 apply, who satisfy the conditions laid down therein, shall acquire the right of permanent residence after residing legally for a period of five consecutive years in the Republic.

## CHAPTER II

### ADMINISTRATIVE FORMALITIES

Document certifying permanent residence for Union citizens

Appendix V  
Appendix VI

17. -(1) A document certifying permanent residence in the Republic, which is shown on Form of Appendix VI of the present Law shall be issued to Union citizens entitled to permanent residence after the relevant authority having verified duration of residence in the Republic and upon application, submitted on Form shown in Appendix V of the present Law and the payment of twenty Cyprus pounds (C£20) as a fee.

(2) The document certifying permanent residence, referred to in section (1), shall be issued by the relevant authority as soon as possible after the date of submission of the relevant application.

Permanent  
residence card  
for family  
members who  
are not  
nationals of a  
Member State.  
Appendix V  
Appendix VI

18. -(1) A permanent residence card, shown on Form of Appendix VI shall be issued to family members of a Union citizen who are not nationals of a Member State, entitled to permanent residence by the relevant authority upon application, submitted on Form shown in Appendix V of the present Law and the payment of twenty Cyprus pounds (C£20) as a fee. The permanent residence card shall be issued within six months after the date of submission of the relevant applications and shall be valid for 10 years. It also shall be renewable by rights every 10 years after the issuing date and after a relevant application by the interested person and the payment of twenty Cyprus pounds (C£20) as a fee.

(2) (a) The application for a permanent residence card to be issued shall be submitted by the interested person no later than one month after the expiry date of the residence card.

(b) Failure to comply with the requirement to submit a valid application for a permanent residence card to be issued shall make the person concerned liable to a pecuniary penalty not higher than one thousand five hundreds Cyprus pounds(C£1500).

(3) Interruption in residence not exceeding two consecutive years shall not affect the validity of the permanent residence card.

Continuity of  
residence

19. For the purposes of the present Law, continuity of residence may be attested by any means of proof in use in the Republic, which may be required by the relevant authority for this purpose. Continuity of residence is broken by any expulsion decision duly enforced against the person concerned.

## PART V

### PROVISIONS COMMON TO THE RIGHT OF RESIDENCE AND THE RIGHT OF PERMANENT RESIDENCE

Territorial Scope.	20. The right of residence and the right of permanent residence for persons to whom the present Law is applicable shall cover the regions controlled by the government of the Republic.
Related rights	21. Irrespective of nationality, the family members of a Union citizen who have the right of residence or the right of permanent residence in the Republic shall be entitled to take up employment or self-employment.
Equal treatment	<p>22. -(1) Subject to such specific provisions as are expressly provided in the Treaty and secondary law, all Union citizens residing under the provisions of the present Law in the Republic shall enjoy equal treatment with the nationals of the Republic within the scope of the Treaty. The benefit of this right shall be extended to family members of a Union citizen who are not nationals of a Member State and who have the right of residence or permanent residence under the provisions of the present Law.</p> <p>(2) By way of derogation from provisions of section (1) is not conferred entitlement to social assistance during the first three months of residence or, where appropriate, the longer period provided in paragraph (b) of section (4) of Article 27, nor shall be granted, prior to acquisition of the right of permanent residence, maintenance aid for studies, including vocational training, consisting in student grants or student loans to persons other than workers, self-employed persons, persons who retain such status and members of their families.</p>

(3) The provisions of sections (1) and (2) in accordance with any other rights than this right of residence in the Republic shall be applied only in relation to the European citizens and to their family members who reside in the regions controlled by the government of the Republic.

General provisions concerning residence documents

23. Possession of the provided in the present Law residence documents and especially of a registration certificate, of a document certifying permanent residence, of a certificate attesting submission of an application for a family member residence card, of a residence card or of a permanent residence card, may under no circumstances be made a precondition for the exercise of a right or the completion of an administrative formality, as entitlement to rights may be attested by any other means of proof.

Checks

24. -(1) Any policeman on duty or the relevant authority may request by any person to whom the present Law applies, to produce, where appropriate, his valid identity card or passport, the registration certificate or his residence card or, if this person fails to produce these documents on the present time, it may be required by this person to produce these documents in a certain period of time, as considered necessary.

(2) In the case the person shall refuse or fail to produce the documents therein, when this is requested legally according to the provisions of the present Article or within the time limits given, shall make the person concerned guilty and in the case of a pecuniary penalty, this should not be higher than one thousand Cyprus pounds (C£1000).

## PART VI

### RETENTION OF THE RIGHT OF RESIDENCE AND OF THE RIGHT OF PERMANENT RESIDENCE

Retention of the  
right of  
residence by  
family  
members in the  
event of death  
or departure of  
the Union  
citizen

25. -(1) The Union citizen's death or departure from the Republic shall not affect the right of residence of his/her family members who are nationals of a Member State:

It is evident that before acquiring the right of permanent residence, the persons concerned must meet the conditions laid down in paragraphs (a), (b), (c) or (d) of section (1) of Article 9.

(2) The Union citizen's death shall not entail loss of the right of residence of his/her family members who are not nationals of a Member State and who have been residing in the Republic as family members for at least one year before the Union's citizen death:

It is evident that before acquiring the right of permanent residence, the right of residence of the persons concerned shall remain subject to the requirement that they are able to show that they are workers or self-employed persons or that they have sufficient resources for themselves and their family members not to become a burden on the social welfare system of the Republic during their period of residence and have comprehensive

sickness insurance cover in the Republic, or that they are members of the family, already constituted in the Republic, of a person satisfying these requirements.

(3) The family members mentioned in sections (1) and (2) shall retain their right of residence exclusively on a personal basis.

(4) The Union citizen's departure from the Republic or his/her death shall not entail loss of the right of residence of his/her children or of the parent who has actual custody of the children, irrespective of nationality if the children reside in the Republic and are enrolled at an educational establishment, for the purpose of studying in the Republic, until the completion of their studies.

Retention of the right of residence by family members in the event of divorce or annulment of marriage.

26. - (1) Divorce or annulment of the Union citizen's marriage shall not affect the right of residence of his/her family members who are nationals of a Member State.

It is evident that, before acquiring the permanent residence, the persons concerned must meet the conditions laid down in paragraphs (a), (b), (c) or (d) of section (1) of Article 9.

(2) Divorce or annulment of the Union citizen's marriage shall not entail loss of the right of residence of the family members of a Union citizen who are not nationals of a Member State where:

- a) prior to initiation of the divorce or annulment proceedings, the marriage has lasted at least three years, including one in the Republic or

- b) by agreement duly authenticated by the relevant court between the spouses, or by court order, the spouse who is not a national of a Member State has custody of the Union citizen's children; or
- c) this is warranted by particularly difficult circumstances, such as the family member having been a victim of domestic violence, as this is laid down in The Violence in the Family (Prevention and Protection of Victims) Law while the marriage was subsisting; or
- d) by agreement duly authenticated by the relevant court between the spouses, or by court order, the spouse who is not national of a Member State enjoys the right to access to a minor child, provided that the court has ruled that such access must be in the Republic, and for as long as is required:

It is evident that before acquiring the right of permanent residence, the right of residence of the persons concerned shall remain subject to the requirement that they are able to show that they are workers or self-employed persons or that they have sufficient resources for themselves and their family members not to become a burden on the social welfare system of the Republic during their period of residence and have comprehensive sickness insurance cover in the Republic, or that they are members of the family, already constituted in the Republic, of a person satisfying these requirements.

(3) The family members mentioned in sections (1) and (2) shall retain their right of residence exclusively on a personal basis.

Conditions for retention of the right of residence by Union citizens and their family members.

27. - (1) Union citizens and their family members shall retain the right of residence provided in Article 8, as long as they do not become an unreasonable burden on the social welfare system of the Republic.

(2) Union citizens and their family members shall have the right of residence provided for in Articles 9, 25 and 26, as long as they meet the conditions set out therein. In specific cases where there is a reasonable doubt as to whether a Union citizen or his/her family members satisfies the conditions set out in Articles 9, 25 and 26, the relevant authority may verify if these conditions are fulfilled:

It is evident that this verification shall not be carried out systemically.

(3) An expulsion measure shall not be the automatic consequence of a Union citizen's or his/her family member's recourse to the social welfare system of the Republic. In this case, the relevant authority shall examine if it is about a case of temporary difficulties and shall take into consideration the residence period of the person concerned in the Republic, his personal condition and the amount of aid that was granted, in order to come to a conclusion, if the beneficiary consists a burden on the social welfare system and afterwards this authority shall take a measure to expel him/her.

Procedural safeguards

28. - (1) The procedures provided for by Articles 32 and 33 shall apply by analogy to all decisions restricting free movement of Union citizens and their family members on grounds other than

public order, public security or public health.

(2) Expiry of the identity card or passport on the basis of which the person concerned entered the Republic and was issued with a registration certificate or residence card shall not constitute a ground for expulsion from the Republic.

(3) The relevant authority may not impose a ban on entry with combination with an expulsion decision to which section (1) applies.

## **PART VII**

### **RESTRICTIONS ON THE RIGHT OF ENTRY AND THE RIGHT OF RESIDENCE ON GROUNDS OF PUBLIC ORDER, PUBLIC SECURITY AND PUBLIC HEALTH**

General  
principles

29. - (1) Subject to the provisions of the present Part, the relevant authority may restrict the freedom of movement and residence of Union citizens and their family members, irrespective of nationality, on grounds of public order, public security or public health.

(2) The grounds of section (1) shall not be invoked to serve economic ends.

(3) (a) Any measure taken on grounds of public order or public security shall comply with the principle of proportionality and shall be based exclusively on the personal conduct of the individual concerned. This personal conduct of the individual concerned must represent a genuine, present and sufficiently serious threat affecting one of the fundamental interests of society:

It is evident that justifications that are isolated from the particulars of the case or that rely on considerations of general prevention shall not be accepted.

(b) Previous convictions shall not in themselves constitute grounds for taking such measures.

(4) In order to ascertain whether the person concerned represents a danger for public order or public security, when issuing the registration certificate or, when issuing the residence card, the relevant authority may, provided it considers this essential, request the Member State of origin of the person concerned and, if need be, other Member States to provide information concerning any previous police record the person concerned may have, within two months:

It is evident that this investigation shall not be carried out systemically.

Protection  
against  
expulsion

30. - (1) Before taking an expulsion decision on grounds of public order or public security, the relevant authority shall take into consideration the period of time the individual concerned has resided in the Republic, his/her age, state of health, family and economic situation, social and cultural integration in the Republic and his/her links with his/her country of origin.

(2) The relevant authority may not take an expulsion decision against Union citizens or the family members, irrespective of nationality, who have the right of permanent residence in the Republic, except on serious grounds of public order or public security.

(3) An expulsion decision may not be taken against Union citizens, except if the decision is based on imperative ground of public security, if these persons:

- a) have resided in the Republic for the previous 10 years; or
- b) are minors, except if this expulsion is necessary for the best interest of the child, as provided for in the United Nations Convention on the Rights of the Child of 20 November 1989, which was ratified by the Convention on the Rights of the Child (ratifying) Law.

243 of 1990  
5(III) of 2000

#### Public health

31. - (1) The only diseases justifying measures restricting freedom of movement shall be the diseases with epidemic potential as defined by the relevant acts of the World Health Organization and other infectious diseases or contagious parasitic diseases if they are subject of protection provisions applying to nationals of the Republic.

(2) Diseases occurring after a three-month period from the date of arrival in the Republic shall not constitute grounds for expulsion from the Republic.

(3) Where there are serious indications that it is necessary, the relevant authority may, within three months of the date of arrival in the Republic, require persons entitled to the right of residence to undergo, free of charge, a medical examination by the Medical and Public Health Services of the Ministry of Health, to certify that they are not suffering from any of the diseases referred to in section (1):

It is evident that these medical examinations shall not be carried out systemically.

Notification of decisions

32. - (1) The persons concerned shall be notified in writing of any decision taken under section (1) of Article (29) and this decision shall be written in such a way that they are able to comprehend its content and the implications for them.

(2) The persons concerned shall be informed, precisely and in full, of the public order, public security or public health grounds on which the decision taken in their case is based, unless this is contrary to the interests of the Republic security.

(3) The notification shall specify the authority with which the person concerned may lodge an appeal, the time limit for the appeal and the time allowed for the person to leave the territory of the Republic. The time allowed to leave the Republic shall not be less than one month from the date of notification.

It is evident that in duly substantiated cases of urgency, the relevant authority may decide the immediate expulsion of the person concerned.

Procedural safeguards

33. - (1) The persons concerned shall have the right to appeal before the Supreme Court, as provided by the Article 146 of the Constitution, in order to attack any decision taken against them by the relevant authority on grounds of public order, public security or public health.

(2) Where the appeal before the Supreme Court against the expulsion decision is accompanied by an application for an interim order to suspend enforcement of that decision, actual

Removal from the Republic may not take place until a decision on the interim order has been taken.

(3) The relevant authority shall not allow the entry of deportee concerned in the Republic during the appeal procedure, unless this person desires to submit his/her defense in person during the trial or unless the presence of this person is necessary in the interest of the fair conferring of justice. His entry shall be not allowed in the case this person's appearance may cause serious troubles to public order or public security or when an appeal concerns a denial of entry in the Republic.

Duration of  
exclusion  
orders

34. -(1) Persons excluded on grounds of public order or public security may submit an application to the relevant authority for lifting of the exclusion order after a reasonable period, depending on the circumstances, and in any event after three years from the enforcement of the final exclusion order which has been validly adopted in accordance with Community Law, by putting forward arguments to establish that there has been a substantial change in the circumstances which justified the decision ordering their exclusion.

(2) The relevant authority shall reach a decision on the application referred to in section (1) within six months of its submission.

(3) The persons referred to in Section (1) shall have no right to entry in the Republic while their application is being considered.

Expulsion as a  
legal  
consequence

43. - (1) Expulsion orders may not be issued by the relevant authority as a legal consequence of a custody penalty, unless they conform to the requirements of Articles 29, 30 and 31.

During the implementation of the expulsion order, issued under section (1), the relevant authority shall check that the individual concerned is currently and genuinely a threat to public order or public security and shall assess whether there has been any substantial change in the circumstances since the expulsion order was issued.

## **PART VII**

### **FINAL PROVISIONS**

Publicity 36. The relevant authority shall disseminate information concerning the rights and obligations of Union citizens and their family members on the subjects covered by the [resent Law, particularly by means of awareness-raising campaigns conducted through national and local media and other means of communication.

Abuse of Rights 37. The relevant authority may refuse, determine or withdraw any right conferred by the present Law, in the case of abuse of rights or fraud, such as marriages of conveniences:

It is evident that such measures shall be proportionate and subject to the procedural safeguards provided in Articles 32 and 33.

Regulations issuing 38. The Council of Ministers has the power to issue regulations, published in the Official Journal of the Republic in relation to any subject, which shall require or take further definition and generally for the better implementation of the provision of the

present Law.

Repeal and  
transposition  
provisions.  
92 (I) of 2003  
126 (I) of 2004

39. -(1) On the date the present Law shall entry into force, the Law on the Free Movement and Residence of Nationals of the Member States of the European Union and Their Families and the regulations issued under this law shall be repealed.

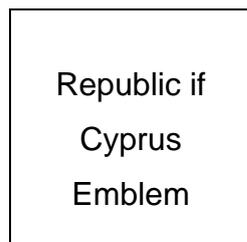
(2) Any permit issued under the Laws and Regulations referred to in section (1) shall retain its validity.

(3) Any applications submitted under the Laws and Regulations of section (1), before the present Law shall entry into force and its examination is pending at the moment the present Law shall entry into force, this application is considered that has been submitted under the present Law and it shall be examined under the provisions of the present Law and the issued Regulations under this Law.

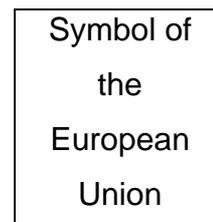
(Form MEU1)

**The 2007 Law on the Right of Union Citizens and their Family Members to Move  
and Reside Freely in the Republic**

APPENDIX I  
[ARTICLE 10(2)]



**MINISTRY OF INTERIOR  
CIVIL REGISTRY AND MIGRATION  
DEPARTMENT**



**REGISTRATION CERTIFICATE**

Union citizen and his/her Family Member who is himself/ herself a Union Citizen

NAME XXXXXXXXX X	NO. OF FILE XXXXXXXX
SURNAME XXXXXXXX	NO.OF REGISTRATION (ARC) XXXXX
MAIDEN NAME OR OTHER	DATE OF REGISTRATION XX/XX/XX
NAMES XXXXXXXXXXXXXXXX	

ADDRESS TO BE SENT

PHOTOGRAPH

For the Director of Civil Registry  
and Migration Department

Fees C£5, 00

(Form MEU1A)

**The 2007 Law on the Right of Union Citizens and their Family Members to Move  
and Reside Freely in the Republic**

APPENDIX II  
[ARTICLES 10(4) (a-c) and (6)]



**MINISTRY OF INTERIOR**  
**CIVIL REGISTRY AND MIGRATION**  
**DEPARTMENT**



**Application for a Registration Certificate to be issued to Union Citizens and  
their Family Members who are themselves Union Citizens**

You are kindly requested to read the guidance for the filling of the application before  
filling the present application

(The application shall be submitted no later than 4 months after the date of entry in  
the Cyprus Republic)

**PART I: UNION CITIZEN**

<b>PARTICULARS OF THE APPLICANT</b>						
Surname			Maiden or Other Name			
Name/s				Sex	<input type="checkbox"/>	<input type="checkbox"/>
				Masculine	Feminine	
Nationality			Date of Birth			Place of Birth
Identity Card/ Passport No Expiry Date				Marital Status		
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				Single	Married	Divorced
				Widowed	Separated	
Residence Address in Cyprus						
Postal Code			Home Telephone No			Fax
			Work Telephone No			
Last date of entry in Cyprus				E-mail		
.Applicant's Signature			Date .....			
.....						

**PART II: FAMILY MEMBER OF THE UNION CITIZEN WHO IS HIMSELF/ HERSELF A UNION CITIZEN**

<b>PARTICULARS OF THE APPLICANT</b>					
Surname			Maiden or Other Name		
Name/s				Sex	<input type="checkbox"/>
				Masculine	Feminine
Nationality			Date of Birth		
Kind of Relationship (submit the necessary documents)		Identity Card/ Passport No Expiry Date		Last date of entry in Cyprus	
Applicant's Signature			Date.....		
.....					

**PART III: CONFIRMATION OF ENGAGEMENT FROM THE EMPLOYER**

Name of Employer			
Name of Company		Company Telephone No	
Company Address			Postal Code
Work address of the applicant (if it differs from the above)			
		Work Telephone No	
Area of Financial Activity of the Employer's Company/ Employment			
Position offered to or possessed by the applicant			
Planned duration of employment based on the relevant contract			

Applicant's Signature  
 .....

Date.....

Employer' Stamp  
 .....

.....

**PART IV: DECLARATION OF SELF-EMPLOYMENT**

Type of Service:

.....

Work Address:

.....

E-mail Address

.....

Work Telephone No

.....

Date of Registration at the Social Insurance Services

.....

(enclose a registration receipt for being registered at the Social Insurance Services)

Applicant's full name

.....

Applicant's Signature: .....

### **Guidance for filling the Application**

1. The application for the Registration Certificate to be issued shall be submitted by the Union citizens and their family members who are themselves Union citizens within four months by their arrival in the Republic.
2. For the registration confirmation to be issued for a Union citizen, the presentation of the following documents is required:
  - 2.1 In the case the Union citizens shall reside in the Republic as a **worker**:
    - a) Valid identity card or passport and a copy of it;
    - b) Confirmation of engagement from the employer (PART III of the application) or a certificate of employment;
    - c) 2 photographs

In the case the Union citizen shall reside in the Republic and be **self-employed**:

- a) Valid identity card or passport and a copy of it;
  - b) Certification of registration at the Social Insurance Services as self-employed;
  - c) 2 photographs
- 2.2 In the case the Union citizen shall reside in the Republic to **study** in a private or public establishment, accredited or financed by the Republic for the principal purpose of following a course of study, including vocational training:
    - a) Valid identity card or passport and a copy of it;
    - b) a proof of registration in a private or public establishment, accredited or financed by the Republic for the principal purpose of following a course of study, including vocational training
    - c) a proof of having a comprehensive sickness insurance cover in the Republic;
    - d) a declaration or such an equivalent means as they may choose, which shall not necessarily declare a specific amount of resources, that shall

assure the relevant authority that they have sufficient resources for themselves and their family members not to become a burden on the social welfare system of the Republic during their period of their residence

2.3 In the case that the purpose of residence in the Republic in **other** than the above:

- i. Fixed and adequate revenue obtained by employment outside the Republic; or
  - ii. Fixed and adequate revenue obtained by other sources of legal nature; or
  - iii. Deposits of adequate amounts in banks of the Republic or abroad
  - iv. Proof of comprehensive sickness insurance cover in the Republic.
3. For the registration confirmation to be issued for the family members of a Union citizen who are themselves Union citizens, the presentation of the following documents is required:
- a) Valid identity card or passport and a copy of it;
  - b) a document attesting to the existence of a family relationship;
  - c) where appropriate, the registration certification of the Union citizen whom they are accompanying or joining;
  - d) in the cases of the spouse of the Union citizen and the direct descendants of the Union citizen under the age of 21 or his/her dependants and those of his/her spouse, a proof of the existence of a family relationship and the fact that these family members are dependants of the Union citizen;
  - e) In the cases of any other family member of the Union citizen who is not

under paragraph 3(d), a document issued by the relevant authority in the country of origin or country from which they are arriving certifying that they are dependants or members of the household of the Union citizen in the country therein, or proof of the existence of serious health grounds which strictly require the personal care of the family member by the Union citizen:

f) a proof of the existence of a durable relationship with the Union citizen.

4. Fees for Union citizens are C£ 5,00 and for every family member of the Union citizen who is himself/herself a Union citizen are C£10,00.
5. Failure to comply with the requirement for registration shall make the person concerned liable to a pecuniary penalty not higher than C£1500.

(Form MEU2A)

**The 2007 Law on the Right of Union Citizens and their Family Members to Move  
and Reside Freely in the Republic**

APPENDIX III  
[ARTICLE 12(1)]

Republic of  
Cyprus  
Emblem

**MINISTRY OF INTERIOR**  
**CIVIL REGISTRY AND MIGRATION**  
**DEPARTMENT**

Symbol of  
the  
European  
Union

**Application for a Residence Card to be issued to Family Members of a Union  
Citizen who are not national of a Member State of the Union**

You are kindly requested to read the guidance for the filling of the application before  
filling the present application

(The application shall be submitted no later than 4 months after the date of entry in  
the Cyprus Republic)

**PART I: PARTICULARS OF UNION CITIZEN IN WHOSE FAMILY THE APPLICANT IS A MEMBER**

Surname		Maiden or Other Names	
Name/s			Sex Masculine      Feminine
Nationality		Date of Birth	Place of Birth
Identity Card/ Passport No and Expiry Date		Marital Status  Single    Married    Divorced    Widowed    Separated	
Residence Address in Cyprus			
Postal Code		Home Telephone No	Last Date of Entry in Cyprus
Issuing date of Registration Certificate/ Planned residence period, where appropriate			

**PART II: FAMILY MEMBER OF A UNION CITIZEN WHO IS NOT A NATIONAL OF A MEMBER STATE OF THE UNION**

<b>PARTICULARS OF THE APPLICANT</b>			
Surname		Maiden or Other Names	
Name/s			Sex Masculine <input type="checkbox"/> Feminine <input type="checkbox"/>
Nationality		Date of Birth	Place of Birth
Kind of Relationship (submit the necessary documents)	Identity Card/ Passport No and Expiry Date		Last Date of Entry in Cyprus
Applicant's Signature .....		Date .....	

**Guidance for filling the application**

1. The application for the RESIDENCE CARD to be issued shall be submitted by the family members of the Union citizen who are not nationals of a Member State of the Union, within four months by their arrival in the Republic.
  
2. For the RESIDENCE CARD to be issued for the family members of the Union citizen who are not nationals of a Member State of the Union the presentation of the following documents is required:
  - a) Valid identity card or passport and a copy of it;
  
  - b) a document attesting to the existence of a family relationship;
  
  - c) where appropriate, the registration certification of the Union citizen whom they are accompanying or joining;
  
  - d) in the cases of the spouse of the Union citizen and the direct descendants of the Union citizen under the age of 21 or his/her dependants and those of his/her spouse, a proof of the existence of a family relationship and the fact that these family members are dependants of the Union citizen;
  
  - e) In the cases of any other family member of the Union citizen who is not under paragraph 3(d), a document issued by the relevant authority in the country of origin or country from which they are arriving certifying that they are dependants or members of the household of the Union citizen in the country therein, or proof of the existence of serious health grounds which strictly require the personal care of the family member by the Union citizen :
  
  - f) a proof of the existence of a durable relationship with the Union citizen.
  
  - g) Two photographs.

3. The Residence Card shall be valid for five years from the date of issue or for the planned period of residence of the Union citizen, if this period is less than five years.
4. Fees are C£20, 00.
5. Failure to comply with the requirement for registration shall make the person concerned liable to a pecuniary penalty not higher than C£1500.

(Form MEU2)

**The 2007 Law on the Right of Union Citizens and their Family Members to Move  
and Reside Freely in the Republic**

APPENDIX IV  
[ARTICLE 12(2)]



**MINISTRY OF INTERIOR  
CIVIL REGISTRY AND MIGRATION  
DEPARTMENT**



**RESIDENCE CARD**

Family Member of a Union Citizen who is not a national of a Member State of the  
Union

NAME XXXXXXXXXX X	NO. OF FILE XXXXXXXXX
SURNAME XXXXXXXX	NO.OF REGISTRATION (ARC)
MAIDEN NAME OR OTHER	VALID UNTIL XX/XX/XX
NAMES XXXXXXXXXXXXXXXXX	ISSUING DATE XX/XX/XX
DATE OF REGISTRATION XX/XX/XX	

ADDRESS TO BE SENT

PHOTOGRAPH

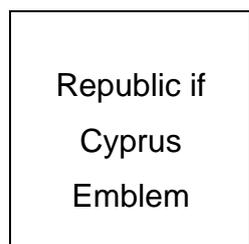
For the Director of Civil Registry  
and Migration Department

Fees C£20, 00

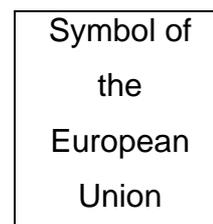
(Form MEU3A)

**The 2007 Law on the Right of Union Citizens and their Family Members to Move  
and Reside Freely in the Republic**

APPENDIX V  
[ARTICLES 17(1) and 18 (1)]



**MINISTRY OF INTERIOR**  
**CIVIL REGISTRY AND MIGRATION**  
**DEPARTMENT**



**APPLICATION**

- a) **For Permanent Residence Certification to be issued to a Union Citizen and his/her Family Member who is himself/ herself Union Citizen**
- b) **For Permanent Residence Card to be issued to Family Members of a Union Citizen who are not national of a Member State of the Union**

**(Delete (a) or (b) accordingly)**

You are kindly requested to read the guidance for the filling of the application before filling the present application

**PART II: FAMILY MEMBER OF A UNION CITIZEN WHO IS HIMSELF/ HERSELF A UNION**

<b>PARTICULARS OF APPLICANT</b>					
Surname		Maiden or Other Names			
Name/s			Sex Masculine      Feminine		
Nationality		Date of Birth		Place of Birth	
Identity Card/ Passport No. and Expiry Date		Marital Status  Single   Married   Divorced   Widowed   Separated			
Residence Address in Cyprus					Postal Code
Issuing Date of Registration Certification (submit a copy of it)					Home Telephone No.
Work Telephone No		Fax	E-mail Address		
Applicant's Signature				Date	
.....					

**CITIZEN**

<b>PARTICULARS OF APPLICANT</b>				
Surname		Maiden or other names		
Name/s		Sex <input type="checkbox"/> <input type="checkbox"/> Masculine   Feminine	Date of birth	Place of birth
Nationality	Identity Card/ Passport No. and Expiry Date	Kind of Relationship (submit the necessary documents)		
Issuing Date of Registration Certification (submit a copy of it)				

**PART III: FAMILY MEMBER OF A UNION CITIZEN WHO ARE NOT A NATIONAL OF A MEMBER STATE OF THE UNION**

PARTICULARS OF THE APPLICATION					
Surname		Maiden or other names			
Name/s				Sex Masculine <input type="checkbox"/> Feminine <input type="checkbox"/>	
Nationality		Date of Birth		Place of Birth	
Kind of Relationship (submit the necessary documents)				Identity Card/ Passport No. and Expiry Date	
Expiry Date of Residence Card (submit a copy of it)					
Applicant's Signature .....				Date . .....	

### **Guidance for filling the application**

1. The application for the Permanent Residence certificate to be issued shall be submitted by the Union citizens and their family members who are themselves nationals of a Member State of the Union, if they have resided legally for a continuous period of five years in the Republic.

The application for the Permanent Residence Card to be issued shall be submitted by the family members of a Union citizen who are not nationals of a Member State of the Union, within one month after the expiry date of the Residence Card in valid.

2. Continuity of residence shall not be affected by temporary absences not exceeding six months a year, or by absences of a longer duration for compulsory military service or by one absence of a maximum 12 consecutive months for important reasons such as pregnancy and childbirth, serious illness, study or vocational training, or a posting in another Member State or a third country.
3. Once acquired the right of permanent residence shall be lost only through absence from the Republic for a period exceeding two consecutive years.
4. The right of permanent residence in the Republic shall be enjoyed before completion of a continuous period of five years of residence by-
  - a) workers or self-employed persons who at the time they stop working, have reached the age laid down by the legislation in force, at each time in the Republic, on social insurance for the entitlement to an old age pension or workers who cease paid employment to take early retirement, provided that they have been working in the Republic for at least the preceding twelve months and have resided in the Republic for more than three years;

- b) workers or self-employed persons who, have resided continuously in the Republic for more than two years and stop working in the Republic as a result of permanent incapacity to work. It is evident that if such incapacity is the result of an accident at work or an occupational disease entitling to a pension payable in full or in part by the Social Insurance Services or other benefit payable in full or in part to the person concerned by the relevant institution under the terms of another relevant law, no conditions shall be imposed as to length of residence;
  - c) workers or self-employed persons who, after three years of continuous employment and residence in the Republic, work in an employed or self-employed capacity in another Member State, while retaining their place of residence in the Republic, to which they return, at least once a week.
5. For the purposes of entitlement to the rights referred to in paragraphs 4(a) and (b), periods of employment in the Member State in which the person concerned is working shall be regarded as having been spent in the Republic. Periods of involuntary unemployment duly recorded by the Department of Labour, periods not worked for reasons not of the person's own making and absences from work or cessation of work due to illness or accident shall be regarded as periods of employment.
6. Irrespective of nationality, the family members of a worker or a self-employed person who are residing with him in the territory of the Republic shall have the right of permanent residence, if the worker or self-employed person has acquired himself the right of permanent residence in the Republic.

In the case that the worker or self-employed person dies while still working but before acquiring permanent residence status in the Republic, under the Law (Article 14(1)), his family members who are residing with him in the Republic shall acquire the right of permanent residence in the Republic, on condition that:

- a) the worker or self-employed person had, at the time of death, resided continuously on the territory of the Republic; or
  - b) the death resulted from an accident at work or an occupational disease.
7. For applications on this Form, a fee of C 20,00 shall be paid for every person and two photographs are submitted.
  8. A permanent residence card shall be issued to family members of a Union citizen who are not nationals of a Member State, entitled to permanent residence, it shall be valid for 10 years and it shall be renewable by rights every 10 years after the issuing date upon a relevant application by the interested person and the payment of twenty Cyprus pounds (C£20) as a fee.
  9. The application for a permanent residence card to be issued shall be submitted by the interested person no later than one month after the expiry date of the residence card.
  10. Failure to comply with the requirement to submit a valid application for a permanent residence card to be issued shall make the person concerned liable to a pecuniary penalty not higher than C£1500.

(Form MEU3)

**The 2007 Law on the Right of Union Citizens and their Family Members to Move and Reside Freely in the Republic**

APPENDIX VI  
[ARTICLES 17 (1) and 18 (1)]



**MINISTRY OF INTERIOR  
CIVIL REGISTRY AND MIGRATION  
DEPARTMENT**



**CERTIFICATE/ PERMANENT RESIDENCE CARD**

Union Citizen, Family Member of a Union Citizen who is himself/ herself a Union Citizen and Family Member of a Union Citizen who is not a national of a Member State of the Union

NAME XXXXXXXXXXXX	NO. OF FILE XXXXXXXX
SURNAME XXXXXXXX	DATE OF REGISTRATION XX/XX/XX
MAIDEN NAME OR OTHER	DATE OF ISSUE XX/XX/XX
NAMES XXXXXXXXXXXXXXXXXXXX	VALID UNTIL XX/XX/XX*

ADDRESS TO BE SENT

PHOTOGRAPH

For the Director of Civil Registry  
and Migration Department

\* For the Family Member of the Union Citizen who is not a national of a Member State of the Union the Fees C£20, 00.