

**REPORT**  
**on the Free Movement of Workers**  
**in Cyprus in 2004**

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## Introduction

The presence of foreign workers in Cyprus is a relatively new phenomenon. As tourism became the main source of revenue in the 1980's and the standard of living increased significantly by the early 1990's, a significantly greater number of Cypriots worked in the hotel and catering industry and went to study at universities overseas. As a result, foreign workers on fixed-term visas from Asia, especially from Sri Lanka, the Philippines and Pakistan, were imported to work mainly as domestic-aids, in light industries and in agriculture. At present, there are approximately 17,000 workers from third countries but discussion of such workers is beyond the scope of the present report.

A phenomenon of great concern in Cyprus with a population of approximately 730,000 is the increasingly very high number of asylum seekers in recent years. Their number was 839 in 2002, 4,032 in 2003 and 9,284 in 2004; in other words, their number increased 1100% in just three years. Of great concern in Cyprus is also the issue of illegal immigrants. Due to the difficulty of policing the Green Line (that separates the area controlled by the Republic of Cyprus from the northern part of the island that has been occupied by the Turkish army since July 1974, see below), their numbers have been increasing in recent years. According to information provided by the Immigration Unit of the Cyprus police, the estimated number of illegal immigrants in Cyprus at the end of March 2004 was 20-25,000.

Regarding priority of access to employment for foreign workers in Cyprus, according to a circular from the Officer of the Civil Registry and Migration Mrs. Katerina Christodoulou to the Chief of Police,<sup>1</sup> first priority is given to Cypriot nationals and EU Member State workers and their dependants together with Greek nationals who possess a special identity card. They are followed by nationals from the accession countries (Romania and Bulgaria), then third country nationals who are already in Cyprus (including asylum seekers) and, finally, new arrivals from third countries.

Together with the other nine new members, Cyprus became a full member of the European Union on 1 May 2004. As part of the accession negotiations and harmonization of legislation process, Law 92(1)/2003 on the Free Movement and Residence of EU Nationals and their Families was passed on 18 July 2003 when it was published in the *Government Gazette*, as provided by Article 52 of the Constitution of the Republic of Cyprus, and, as provided in Article 73 of the Law, it came into force on 1 May 2004. Some provisions of Law 92 (1)/2003 were amended by Law 1216 (1)/ 2004 for the Free Movement and Residence of Workers of Citizens of Member States and their family Members (Amendments). Article 19 of the Amending Law provided that, like the original legislation, it would come into force on the day Cyprus became a member of the EU.

Unlike some other countries, Cyprus did not opt to apply a two-years transitional period for access to the Cypriot labour market to citizens of EU Member States. Consequently, in accordance with the provisions of Articles 39-42 of the Treaty of Establishment of the European Community, since 1/5/2004 nationals from all the EU Member States have a right to free movement, residence and paid employment in Cyprus and so do both their spouses and children under the age of 21 years as well as their dependants as long as they provide the documentation required (see below).

Laws 92(1)/2003 and 126 (1)/2004 on the free movement and residence of nationals from EU member States were introduced so that relevant legislation in Cyprus would be consistent with the following 9 EEC Directives and 4 EEC Regulations.

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1 Reported in the newspaper *Phileleftheros*, 17.4.2005, p.12.

### *Directives*

1. Directive 64/221/EEC of the Council of 5 February 1968 on the co-ordination of special measures for the movement and residence of aliens which are justified for public order, public security or public health (EE L 56 of 04.04.1964, p. 85);
2. Directive 68/360/EEC of the Council on 15 October 1968 for the abolition of restrictions on the movement and residence of workers from the Member States and their families within the Community (EE L 257 of 19.10.1968, p. 13);
3. Directive 72/194/EEC of the Council on 18 May 1972 which extends the Directive 64/221/EEC (above) so as to apply to workers who exercise the right of residence in the territory of a Member State after they have been in a particular paid employment (EE L 121 of 26.5.1972, p. 32);
4. Directive 73/148/EEC of the Council on 21 May 1973 concerning the abolition of restrictions on mobility and residence of nationals from Member States within the territory of the Community regarding settlement and the offering of services (EE L 172 of 28.6.1973, p. 14);
5. Directive 75/34/EEC of the Council on 17 December 1974 on the right of nationals from a Member State to remain in the territory of another Member State after they have been in an unpaid activity in that state (EE L 14 of 20.1.1975, p. 10);
6. Directive 75/35/Eec of the Council on 17 December 1974 extending Directive 64/221/EEC (above) so as to apply to nationals from a Member State exercising their to remain in the territory of another Member State after they have been in an unpaid activity in that state (EEC L 14 of 20.1.1975, p. 14);
7. Directive 90/364/EEC of the Council on 28 June 1990 regarding the residence right (EE L 180 of 13.7.1990, p. 26);
8. Directive 90/365/EEC of the Council on 28 June 1990 regarding the residence right of nationals from Member States in paid or unpaid employment who have ceased their professional activity ((EE L 180 of 13.7.1990, p. 28); and
9. Directive 93/96/Eec of the Council on 29 October 1993 concerning students' right of residence (EE L 317 of 18.12.1993, p. 59).

### *Regulations*

1. EEC Regulation No. 1612/68 of the Council on 15 October 1968 on the free movement of workers within the Community (EE L 257 of 19.10.1968, p. 2);
2. EEC Regulation No. 1251/70 of the Commission on 29 June 1970 on the right of workers to remain on the territory of a Member State after they have been in particular employment there (EE L 142 of 30.6. 1970, p. 24);
3. EEC Regulation No. 312/76 of the Council on 9 February 1976 on the amendment of the provision concerning trade union rights of workers which are contained in the EEC Regulation No. 1612/68 and pertaining to the free movement of workers within the Community; and
4. EEC regulation No.2434/92 of the Council on 27 July 1992 on the amendment of the second part of EEC Regulation No. 1612/68 for the free movement of workers within the Community (EE L 245 of 26.8.1992, p. 1).

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Drawing on an explanatory memorandum (87/2003) issued by the Department of Labour, Ministry of Labour and Social Insurance, Republic of Cyprus, Law 92(1)/2003 brought into line Cypriot legislation not only with the Directives and Regulations mentioned above which concern the free movement and residence of workers within the European Union but, also, workers from the countries which signed the Agreement for a European Economic Region, namely Norway, Island, Lichtenstein and Switzerland. Law 92(1)2003 is divided into nine parts in which there are provisions for the following topics:

- Part I Introduction-interpretation-areas of application (Articles 1-3).
- Part II Movement and residence of those in paid employment (Articles 4-14).
- Part III Movement and residence in order to offer services, not paid activity (Articles 15-24).
- Part IV Residence after having been in unpaid activity (Articles 25-33).
- Part V Residence of paid and unpaid workers, after the activity has ended (Articles 34-43).
- Part VI Residence of students (Articles 44-53).
- Part VII General right of residence of nationals of Member States (Articles 54-63).
- Part VIII Deviations from the Right on grounds of security, health, public order (Articles 64-71). These deviations are elaborated on below in section 4.0 'Texts in Force'.
- Part IX Final provisions, the issuing of regulations (Articles, 72-73).

Law 92(1)/2003 also includes two attachments. The first contains the type of permit issued for paid activity and the second lists illnesses/diseases that jeopardize public health, order or security.

Regarding ministerial discretion in enforcing Law 92 (1)/2003, this is provided in part VIII of the Law. In all the categories of workers dealt with below, the Minister of Interior has discretion to deviate from the provisions of the Law as they concern the granting or renewal of a residence permit and /or to expel (Art. 64 (1)) a worker or their dependants. However, such discretion is not to be exercised for economic reasons (Art. 64 (2)). A time limit of six months is specified in Article 65 for approving or rejecting an application for residence permit made for the first time and during this time the applicant is allowed to reside temporarily in the Republic (65 (1). Article 65 (2) (a) provides that the competent authority can, if it is deemed necessary, request information concerning the applicant's criminal record from his country of origin or, possibly, from other Member States. However, the obtaining of such information cannot be done on a systematic basis. Finally, the relevant authorities of the Republic must respond to such requests by other Member States within two months (Art. 65 (2) (b)).

A precondition for the Minister deviating from applying Law 92 (1)/2003 is that any measures taken must be based only on the behaviour of the person concerned (Art.66 (1)). Article 66 (2) states that the personal behaviour of the individual concerned must constitute a current and enduring serious threat against the fundamental good of the society. Furthermore, one cannot claim either the existence of reasons that are not connected with a particular individual case or advance reasons of general prevention in order to deviate from the provisions of the legislation (see 'Departure' below for details). It is interesting to note in this context that Article 66 (3) states clearly that previous convictions do not, of themselves, justify the Minister deviating in enforcing Law 92 (1)/2003 in the case of a worker. Simi-

larly, the fact that the valid passport or identity card with which an interested party entered the Republic of Cyprus has expired cannot be the reason for expelling them (Art. 66 (4)).

The Minister cannot deviate from the provisions of Law 92 (1)/2003 on grounds of public health if the illnesses or handicaps concerned appear after workers or their dependants are granted a residence permit for the first time and such circumstances cannot justify either refusing them renewal of their permit or their expulsion (Art. 67 (2)). Article 67 (3) authorizes the Minister, if there are sufficient indications justifying it, to ask a person to undergo free medical tests by the medical services and the public health medical services of the Ministry of Health in order that it be certified that the person concerned is not suffering from a disease or handicap of the type mentioned in Article 67 (1).

Part IX of Law 92 (1)/2003 provides that the Council of Ministers can issue regulations that are published in the *Government Gazette* in relation to the Law. The regulations issued under the Law are tabled in Parliament. The Parliament can approve or reject them within sixty days. If the Regulations are approved or the sixty-day period has elapsed without Parliament deciding either way, they are published in the *Government Gazette* and come into force on the date of their publication therein (Art. 72 (2)).

A situation that is unique to Cyprus as one of the 10 new members of the EU is the anomalous political situation that has existed since 1974 and as a result of which the northern part of the island remains occupied by the Turkish army. Early in April 2004, the administration in the occupied part of Cyprus lifted many of the restrictions pertaining to the movement of persons across the 'Green Line'. However, despite the fact that the Republic of Cyprus and the entirety of its territory joined the EU, the government cannot exercise its jurisdiction in the occupied areas. Consequently, Greek-Cypriots nationals and EU nationals wishing to travel to the northern part can only do so by showing their passports and obtaining a 'visa' at any of the few designated crossing points along the 'Green Line' (see below) while those entering the area controlled by the republic of Cyprus from the occupied areas are, *inter alia*, subject to border controls to establish their identity (see Chapter- XI below for details).

## **Chapter I**

### **Entry, Residence, Departure**

#### **Entry**

##### *Texts in force*

Article 4 of the 2003 Law, provides that the authorities ought to facilitate entry into Cyprus of every other member of a national from a Member State or of their spouse, including persons maintained by them or living with them under the same roof in their country of origin.

To be allowed entry to Cyprus, a national of a Member State need only show his/her passport or identity card (Art.5 (1)). Upon entering Cyprus, the national is not required to obtain a visa or anything equivalent.

Those who exercise their right to provide or to receive unpaid services and their dependants enter the Republic of Cyprus by producing their valid passport or identity card (Art.16).

Article 36 provides that upon entering the Republic, the family members and dependants of workers who have exercised their right to be involved in paid or unpaid activity but have ceased their professional activity are subject to the provisions of Articles 5 and 6.

Persons whose identity card or passport has been issued by the Republic are allowed to re-enter the Republic, irrespective of whether the documents concerned have expired or those persons' citizenship is being questioned (Art. 66 (5)).

##### *Literature*

Department of Labour (2004) *Memorandum: Law No. 92 (1)/2003 on the Free Movement and Residence of Citizens of EU Member States and their Family Members* [In Greek], TE 87/2003. Ministry of Labour and Social Insurance, Republic of Cyprus, Nicosia, Cyprus.

*Memorandum Concerning the Treatment of EU Citizens* by Katerina Papachristodoulou, Administrative Officer A', Civil Registry and Migration Department, Ministry of Interior, Republic of Cyprus, Nicosia, Cyprus.

[www.moi.gov.cy](http://www.moi.gov.cy).

#### **Residence**

##### *Texts in force*

The issuing of a residence permit and relevant provisions are to be found in Article 7. A written residence permit (a sample of which is provided in Attachment 1 of Law 92 (1)/2003) is issued to each national of a Member State who has a right to reside in Cyprus (Art. 7(1)). A residence permit is granted for a period of at least five years from the date it is issued, is valid for use in all the territory of the Republic of Cyprus and is automatically renewed upon the national applying for renewal (Art. 7(2)). The period stated in a residence

permit is not affected by interruptions in the residence of no more than six months or as a result of the national being absent in order to fulfill military obligations (Art. 7(3)).

A national of a Member State cannot be deprived of a residence permit simply because he/she is no longer being employed, or because he/she is temporarily unable to be in employment as a result of illness or accident or because he/she is involuntarily unemployed on the basis of testimony to that effect by the Department of Labour (Art. 7(4)). It is noted here it is not clear how the phrase “involuntarily unemployed, on the basis of testimony to that effect by the Department of Labour” should be interpreted and the correct interpretation needs to be spelt out by the Department of Labour.

When an application is made to have a residence permit renewed for the first time, the period of validity of the renewed residence permit may be restricted to twelve months, if the holder of the permit has been involuntarily unemployed in the Republic of Cyprus for twelve or more continuous months whereupon, when the twelve-month period expires, the residence permit is not renewed if the permit holder continues to be unemployed (Art. 7(5)).

Regarding the requirements for the issuing of a residence permit or a residence document, these are stated in Article 8. A residence permit or a residence document is issued within six months of the application (Art. 8(2)) after an interested party makes an application to the appropriate authority within three months from the date he/she entered Cyprus (Art. 8(1)).

According to Article 8 (3), in order to be issued with a residence permit, the following documents are required from a national from a Member State of the EU applying for permission to be employed (Form MEU 1):

1. The valid passport or identity card with which he/she entered the Republic of Cyprus.
2. A statement by the employer, certified by the Department of Labour, that he/she intends to employ the applicant, providing details of the duration and type of paid work the applicant is to be engaged in.

It should be noted in this context, that the provision of the documents and the procedure for examining an application for residence permit is not to be an obstacle in the immediate implementation of the employment agreement reached by the applicants (Art. 8 (4)).

A temporary residence permit is issued in cases where (a) the period of employment is for more than three but less than twelve months (Art. 9 (1)), the duration of employment being specified in the employer’s statement of intention to employ the national of an EU Member State, (b) for seasonal employment of more than three months but the duration of which is limited to the period of employment (Art. 9 (2)), and (c) for nationals employed by persons who provide services to the Republic of Cyprus (Art. 9 (1)). The meaning of “services” is not clear and needs to be clarified.

Article 10 provides that a national of an EU Member State can exercise his/her right to residence without the need to obtain a permit in the case of

- a. A worker who is in paid employment that is not intended to be of more than three months’ duration. Such a worker, however, needs to provide the documents mentioned in Article 8 (3) (a) with the exception of the employer’s statement of intention to employ him/her if his/her case falls within the provisions of “Directive 1999/42/EC by the European Council and the Council on 7 June 1999 for the establishment of a system of recognition of qualifications pertaining to professional activities covered by the directives for the freeing of restrictions, as well as measures during the transitional period ,



- and for the establishment of a complete system for the recognition of diplomas” (Art. 10 (a)).
- b. A worker who, whilst domiciled in the territory of a Member State, returns there, initially daily or at least once a week, is in paid employment in the Republic of Cyprus (Art. 10 (b)).
  - c. A seasonal worker who comes to be gainfully employed in the Republic of Cyprus and is in possession of an employer statement specifying the intended period and the type of paid activity to be provided, such a statement being officially certified by the Department of Labour (Art. 10 (c)).

A worker who falls within any of the categories provided in Article 10 (a)-(c) ought to inform the appropriate authority of his/her presence within eight days of entering the republic of Cyprus (Art. 10 (2)).

In compliance with the EEC Regulation No. 1251/1971 of the Commission on 29 June 1970, when the period of employment expires, those entitled to a residence permit are issued with such a permit in which it is stated that the permit is issued in compliance with the aforementioned Regulation (Art. 11).

An employer providing employment to a national of an EU Member State who does not have the required residence permit is committing an offence punishable with a financial penalty not exceeding 500 pounds (Art. 13 (1)). Similarly, a national of an EU Member State who is gainfully employed but has not obtained a residence permit or does not possess an employer statement of intention to employ him that has been officially certified by the Department of Labour, is guilty of an offence punishable with a maximum fine of 500 pounds (Art. 13 (2)). It should be noted in this context that, according to the head of the Immigration Department (personal communication), the authorities in Cyprus are reluctant to prosecute EU citizens or their dependents found to be working without a permit and, instead, advise them to obtain the permit required as soon as possible. For comparison purposes, the Population Archives Law of 2002 provides that Cypriot nationals who fail to register with the population archive or for an identity card commit an offence punishable with a fine of up to 1,500 pounds or imprisonment of three years or both. Incidentally, EU citizens need to register with the Population Archives to obtain a residence permit. Thus, the sanction imposed on Cypriots who violate the Population Archives Law is stricter than in the case of EU citizens coming to work in Cyprus.

Article 14 provides the Minister of the Interior<sup>2</sup> with the discretion to deviate from the provisions of Part II of Law 92 (1)/2003 mentioned above if, in his/her reasonable judgment, such a deviation is warranted by reasons of public order, public security or public health.

Article 15 (Part III of Law 92 (1)/2003) provides for the right of free movement and residence in order to provide or receive unpaid services to nationals of an EU Member State (para. 1), along the same lines as for other categories of workers. A right to settle in the Republic of Cyprus is provided in Article 15 (2) (a-b) to the same categories of persons, irrespective of their citizenship, as for those related to or maintained by or who had been living with in the country of previous residence of workers mentioned above. Furthermore, again, an effort should be made to facilitate the entry of such persons to Cyprus (Art. 15 (3)). Fi-

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2 “Minister” means the Minister of the Interior in his capacity as a First Immigration Officer under the Aliens and Immigration Laws of 1972 until 2002 and the regulations issued under the same laws, and includes whoever else has been so authorised to act for the same purpose (Law 92 (1)/2003, Part I, Introductory Provisions, art.2).

nally, as in the case of workers and their dependants, those who exercise their right to provide or to receive unpaid services and their dependants enter and exit the Republic of Cyprus by producing their valid passport or identity card (Art. 16). Persons who settle in Cyprus in order to provide or to receive unpaid services and their dependants, are entitled to permanent residence (Art. 17), such permanent residence is granted in writing (Art. 18 (2)), is for at least five years and is valid in all the territory of the Republic of Cyprus and is renewed automatically with the interested worker applying (Art. 18 (2)).

Nationals of EU Member States who provide or receive paid services have a right to a residence permit for the duration of the services concerned (Art. 19) and so do their dependants (Art. 19). No residence permit is issued if the duration of the services concerned is up to three months, the EU national involved remains on the basis of his valid passport or identity card with which he/she entered Cyprus but has to report his/her presence in the country to the competent authority of the Republic within eight days of his/her arrival (Art. 20 (2)).

The same residence conditions apply for the issuing and renewal of a residence permit to take up unpaid activity (provided in Articles 21 and 22) as for the issuing and renewal of a residence permit to a worker from an EU Member State to undertake paid employment as provided in Part II of the law (see above). If a person whose residence in Cyprus is under the provisions of Part II of the 92(1)/2003 Law, remains on the territory of the Republic for more than three months since he/she entered the country without having submitted the necessary documents in order to be issued with a residence permit or after the residence permit issued him/her under Articles 20 and 21 of the Law has expired, is guilty of an offence punishable with a fine of up to 500 pounds. Finally, the Minister of Interior has discretion under Article 24 to deviate from the provisions in Part II if, in his reasonable judgment, such deviation is warranted by reasons of public order, public security or public health.

Largely due to the short period (8 months) covered by the present report, there is no case law in Cyprus in the wake of the jurisprudence of the European Court of Justice in *Boucherau* and later judgments implementing serious restrictions on the public order exception. As far as it has been possible to ascertain, an EU citizen will be expelled from Cyprus if under the Schengen Convention he/she is a threat to public security or health. Finally, Law 126 (1) of 2004 that amended the 2003 Law on the Free Movement and Residence of Workers and their Dependents, *inter alia*, reduced the fine provided for being employed without a residence permit from 3,000 to 500 pounds.

Part IV of Law 92(1)/2003 provides for the right to permanent residence after being involved in unpaid service in the Republic of Cyprus. More specifically, according to Art.25 (1), citizens of a Member State who have been involved in unpaid activity have a right to permanent residence if:

- a.
  1. At the time they cease to exercise their activity they have reached the age specified in the legislation of the Republic of Cyprus for retirement due to age, and
  2. They exercised their activity in Cyprus for at least the last twelve months, and
  3. Have resided continuously in Cyprus for at least three years.
- b. Having resided continuously in the Republic for a period of more than two years they stop exercising their activity in the Republic as a result of a permanent incapacity to work.

It is understood that the precondition of residence for the specified time period does not apply if the incapacity to work was the result of an accident or illness in the context of work, events that confer a right to a pension payable in total or in part by the Department of Social Security

- c. After continuously exercising their activity and being resident in the Republic, they exercise their activity in the territory of another Member State whilst maintaining their residence in the Republic to the territory of which they return, as a rule, daily or at least once a week. For the purpose of satisfying the requirements stated in (a) and (b) of the present paragraph of Article 25, such periods of activity in the manner stated outside the Republic are considered to have taken place in the Republic.

Efforts should be made to assist in the return of workers who left the Republic and resided overseas for long and exercised unpaid work and who wish to return as long as they have reached the age at which they are entitled to receive a pension (As stated in Art. 25 (1(a)) are permanently incapable for work (Art. 27).

A written residence permit is issued to those entitled after they have applied for one, is valid for at least five years in all the territory of the Republic, it can be interrupted for up to six continuous months or for longer if one is discharging one's obligation for military service (Art. 30 (1)-(3)) and can be renewed upon payment of the fees stated in Article 12 (Art. 31). The category of persons mentioned in Part IV are committing an offence punishable with a maximum fine of 500 pounds if they remain in the territory of the Republic after two years have lapsed since being granted the right to permanent residence or if the permit issued them under Article 30 has expired (Art. 32). Part III of Law 92 (1)/2003 gives the Minister of Interior discretion to deviate from the provisions of Part IV.

Part V of Law 92 (1)/2003 concerns the right to residence both of paid and unpaid workers who have ceased their professional activity (Form MEU 4). As in Parts II-IV, the issuing of a written residence to this category of workers, their family members and dependants, its duration, documentation required, renewal, fees to be paid, are detailed in Articles 37-40 .

Article 41 makes it clear that the provisions of Part V of the Law do not affect the existing legal provisions pertaining to the purchasing of a second house. Article 42. states the circumstances under which the person concerned is in breach of the law, is committing an offence and the 500 pounds financial penalty provided for the offence concerned while Article 43 refers to the discretion of the Minister of the Interior to deviate from the provisions of Part V.

Part VII (Art. 54) of Law 92 (1)/2003 provides for a right to residence by citizens of EU Member States who do not have a right to residence under other provisions of Community Law as well as their spouses and their own or their spouse's dependants.

Article 56 provides that EU nationals persons who have exercised their right to residence are subject to the same requirements (provided in Articles 5 and 6 of the Law) when entering or exiting the Republic as the previous categories of workers already discussed, can apply for residence on the basis of Article 37 and can take up paid or unpaid activity (Art. 55). In order to obtain a residence permit (Form MEU 6), such persons require not only the valid passport or identity card with which they entered Cyprus and a health certificate but, also, documentary evidence proving that (a) the applicant him/herself and his/her family members have medical insurance that covers them for all the risks in Cyprus and (b) they have adequate financial means so as not become a burden on the social welfare system of the Republic during the period of their residence (Art. 58 (2) (b)). The same conditions apply for the renewal of a residence permit (Art. 12) and breach of the provisions of Part VII, including a maximum fine of 500 pounds and, finally, the discretion of the Minister of the Interior to deviate from the provisions of Part VII as for other categories of workers (Art. 60, 62 and

63). The provisions of Part VII of the Law do not affect the legal provisions pertaining to the purchase of a second house in Cyprus (Art. 61).

## **Departure**

### *Texts in Force*

To be allowed departure from Cyprus, a national of a Member State need only show his/her passport or identity card (Art. 6(1)). Upon leaving Cyprus, the national is not required to obtain a visa or anything equivalent.

Those who exercise their right to provide or to receive unpaid services and their dependents exit the Republic of Cyprus by producing their valid passport or identity card (Art. 16).

Article 36 provides that upon exiting the Republic, the family members and dependents of workers who have exercised their right to be involved in paid or unpaid activity but have ceased their professional activity are subject to the provisions of Articles 5 and 6.

Article 56 provides that EU nationals who do not have a right to residence under the provisions of Community Law and the spouses and their own and their spouse's dependents are subject to the same requirements [Provided in Art. 5 and 6 of the Law) when exiting the Republic as other categories of workers who can apply for residence on the basis of Art.37 and can take up paid or unpaid activity (Art. 55).

Two years after a worker who has been granted the right to permanent residence, he/she can leave the territory of the Republic without such action affecting the said right and without having to provide any documents to prove residence (Art. 29 (1) and (2)).

## **Remedies**

### *Texts in force*

An interested party is notified of both the decision to expel him/her and is informed, also, of the time period within which to leave the Republic (Art. 68 (1)). In emergency cases, this time limit cannot be less than 15 days if the person concerned has not yet been issued with a residence permit and it cannot be less than one month in other cases (Art. 68 (2)). The public order, public security or public health reasons for a negative decision must be communicated to the person concerned, unless this cannot be done for the security of the Republic (Art. 69). Of course, a decision to refuse entry or the issuing or renewal of a residence permit or a decision to expel a person is subject to appeal in the courts (Art. 70).

With the exception of emergency cases, the decision to refuse to renew a residence permit and the decision to expel someone is made by the competent authority with the consent of the Minister of the Interior (Art. 71 (1)). The interested party can appear him/herself or with a representative before the Minister to be heard as to the reasons for the renewal of his/her residence permit or for not expelling him/her (Art. 71 (1)). In such a case, if the Minister authorizes a person to give his opinion according to the provisions of Part VIII, that person cannot be the same as that who had the authority to decide the renewal of the residence permit or the expulsion of the person concerned from the Republic (Art. 71 (1)). The refusal of a first application for a residence permit as well as the decision to expel a person

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from the Republic before the issuing of a residence permit are examined by the Minister of the Interior, following an application by the person concerned. The interested party can be present him/herself or with a representative to be heard, unless this is allowed for reasons of national security (Art. 71 (2)).

Regarding the duration for which a person can be expelled from the Republic of Cyprus, Article 71A (1) provides that a person who has been expelled for reasons of public order, public security, or public health can make a new application to be allowed to enter the Republic two years after the decision to expel him (Art. 71A (2)) and within a reasonable time period under the circumstances, providing evidence proving that the circumstances that led to his expulsion have been substantially changed. The relevant authority must decide such an application within three months of it being made (Art. 71A (3)) and, in compliance with Article 69, the decision of the relevant authority is communicated to the interested party as soon as possible (71A (4)). Finally, the interested party has no right of entry into the Republic while his application is being examined (71A (5)).

## Chapter II

### Equality of Treatment/Labour Law

#### *Texts in force*

The financial costs incurred by a worker who is a national of an EU Member State for obtaining a residence permit and for obtaining and/or having documents officially certified by the Department of Labour in order to be issued with or to have renewed a residence permit or residence document, should be the same as the financial cost incurred by a Cypriot national in obtaining an identity card (Art.12). However, for the reason explained below, a national from an EU Member State pays more in the context mentioned than a Cypriot citizen pays to obtain an identity card.

A health certificate issued by a government hospital in Cyprus is required for employment in the food industry. Requiring a health certificate by such applicants is not incompatible with EC law and it has been reiterated in a number of decisions by the European Court of Justice. The issue of 'equality of treatment' of EU nationals is discussed under the heading 'Students' below. Suffice it here to note that EU citizens are entitled to medical care, the child allowance and unemployment benefit (if, as in the case of Cypriot nationals, they have previously been gainfully in Cyprus for at least six months). At the time of writing, the Cyprus Medical Association has been campaigning for the right to medical treatment for EU citizens to be extended to the private and only to the public medical sector (*Fileleftheros* newspaper, 11.9.2005, p. 12). Finally, legislation pending in Parliament will provide for educational grants for citizens of EU Member States (see below).

#### *Literature*

*Memorandum Concerning the Treatment of European Citizens*, by Katerina Papachristodoulou, Administrative Officer A', Civil Registry and Migration Department, Ministry of the Interior, Republic of Cyprus, Nicosia, Cyprus.

### **Chapter III**

## **Employment in the Public Sector**

On the basis of legislation (General Regulations for the free Movement of Workers of Citizens of EU Member States and their Families, 2005) pending in Parliament in September 2005 after it was approved by the Council of Ministers in August 2005 (*Phileleftheros* newspaper, 29.8.2005, p.16), EU citizens can be employed in the public or semi-public sector if the post concerned is not deemed to be important for the public interest of the state (e.g., the army.). Furthermore, an advertisement for a particular post in the public or semi-public sector (e.g., vacancies for teachers in the Ministry of Education) will specify whether it is one that is important for the public interest of the State and it could, also, require applicants to have sufficient knowledge of Greek. At present, a citizen of an EU Member State cannot apply to join the police if he is not a Cypriot citizen but could be employed on a fixed-term contract.

#### *Texts in force*

A Bill pending in Parliament: General Regulations Concerning the 2003 Law for the Free Movement of Citizens of nationals of EU Member States and their Families.

#### *Literature*

Ministry of Labour and Social Insurance, Department of Labour (2004), *Guide for the General System for the Mutual Recognition of Professional Qualifications*, Republic of Cyprus, Press and Information Office, Nicosia, Cyprus.

## Chapter IV Family Members

### *Texts in force*

Upon entering Cyprus, the national is not required to obtain a visa or anything equivalent, except in the case of *family members* who are not EU citizens. Thus, the German spouse of a French worker would not require a residence permit. Family members who are not EU citizens are required to obtain a visa or something equivalent (Art. 5 (2)). It is also stated that every effort should be made to facilitate the obtaining of a visa free of charge by such persons (Art. 6(2)).

According to Article 8 (3), in order to be issued with a residence permit, the following documents are required by *family members* of nationals of EU Member States (form MEU 7):

1. Their valid passport or identity card with which they entered the Republic of Cyprus.
2. A document issued by the appropriate authority in their own country of origin or from which they have come which proves that they are members of the EU applying for a residence permit.
3. Where applicable, as provided in Article 4 (2) and (4), document issued by the appropriate authority in their own country of origin or from which they have come which certifies that the persons concerned are maintained by the worker or that they lived with him/her under the same roof in the country concerned.

It should be noted in this context, that the provision of the documents and the procedure for examining an application for residence permit is not to be an obstacle in the immediate implementation of the employment agreement reached by the applicants (Art. 8 (4)).

A right to permanent residence in the Republic of Cyprus is provided in Article 15 (2) (a-b) to those related to or maintained by or who had been living with in the country of previous residence of workers who exercise their right permanent residence in order to provide paid or unpaid services. Furthermore, again, an effort should be made to facilitate the entry of such persons to Cyprus (Art. 15 (3)). The dependants of persons who settle in Cyprus in order to provide or to receive unpaid services, are entitled to permanent residence (Art.17), such permanent residence is granted in writing (Art.18 (2)), is for at least five years and is valid in all the territory of the Republic of Cyprus and is renewed automatically with the interested worker applying (Art.18 (2)).

The dependants of nationals of EU Member States who provide or receive paid services have a right to a residence permit for the duration of the services concerned (Art. 19). No residence permit is issued if the duration of the services concerned is up to three months.

*Family members* of persons who have settled in Cyprus in order to provide or to receive unpaid services have a right in the existing legislation to take up paid or other activity (Art. 17). Family members who are not citizens of an EU Member State are issued with a residence document that has the same validity as the residence permit issued to the EU citizen whose dependants they are (Art. 17 (5)).

In order for (a) the spouses, (b) the dependants of a citizen of an EU Member State who does not have a right to residence under other provisions of Community Law, and (c) the dependants of the spouse of such a citizen to obtain a residence permit, the citizen concerned is required not only to produce the valid passport or identity card with which they entered



Cyprus and a health certificate but, also, documentary evidence proving that (a) the applicant him/herself and his/her family members have medical insurance that covers them for all the risks in Cyprus and (b) they have adequate financial means so as not to become a burden on the social welfare system of the Republic during the period of their residence (Art. 58 (2) (b)). The same conditions apply for the renewal of a residence permit (Art. 12) and breach of the provisions of Part VII, including a maximum fine of 500 pounds, is provided in Part VII (Art. 54) of Law 92 (1)/2003 as amended. In order to obtain a residence permit (Form MEU 6), those citizens' or their spouse's dependants of such persons and, finally, the discretion of the Minister of the Interior to deviate from the provisions of Part VII as for other categories of workers (Art. 60, 62 and 63).

The provisions of Part VII of the Law do not affect the legal provisions pertaining to the purchase of a second house in Cyprus (Art. 61).

The family members of a national (as defined in Art. 15 (2) and (3), see above) of an EU Member State who is entitled to permanent residence on the basis of having exercised unpaid activity under Article 25 are also entitled to permanent residence if they have been living in Cyprus (Art. 26 (1)). The requirements concerning residence, continuous residence (defined in Art. 28), and activity stated in Article 28 (a) and (b(1)) do not apply if the spouse of the applicant exercising the unpaid activity is a Cypriot national (Art. 25(2)).

Article 34 of Part V of Law 92 (1)/2003 concerns the right to residence of family members and dependants both of paid and unpaid workers who have ceased their professional activity (Form MEU 4). Furthermore, the spouses and dependants of such a worker take up paid or unpaid activity in the Republic (Art. 35).

If the EU national exercising unpaid activity dies while offering such activity and before obtaining permanent residence, his/her family members are entitled to permanent residence (Art. 26 (1)) if one of three criteria stated in Article 21 (2)) is satisfied.

In order to obtain a residence permit (Form MEU 6), citizens of EU Member States who do not have a right to residence under other provisions of Community law but have a right to residence (Art.54) and can take up paid or unpaid activity (Art. 55) require, *inter alia*, documentary evidence proving that their family members have medical insurance that covers them for all the risks in Cyprus and that they themselves have adequate financial means so as not to become a burden on the social welfare system of the Republic during the period of their residence (Art. 58 (2) (b)). The same conditions apply for the renewal of a residence permit (Art. 12)

The spouse and dependant children of students can take up paid or unpaid activity (Art. 45) and are subject to the same provisions when entering and exiting the Republic (stated in Art. 5 and 6, see above) as the categories of workers dealt with in Parts II-V. Family members of students who are not citizens of an EU Member State are issued with a residence document for the same duration as the residence permit issued to the student whose dependants they are ((Art. 47 (3)). Family members of the student must provide the valid passport or identity card with which they entered the Republic and a document issued by the appropriate authority in the country from which they have come that they are related to the student.

## **Chapter V**

### **Influence of Recent Judgments of the Court of Justice**

In view of the brief period involved, there is no new legislation or case law material to report.

## **Chapter VI**

### **General Developments**

The large number of fixed-term contract workers, illegal immigrants, and asylum seekers (see 'Introduction' above) is generally believed to have impacted adversely on job opportunities in Cyprus for EU citizens. However, the situation will be largely remedied by the prioritisation of access to employment opportunities for EU citizens and the issuing in April 2004 of a circular to that effect by the Civil Registry and Migration Department.

## **Chapter VII**

### **EU Enlargement**

#### *Texts in force*

Unlike most of the new members of the EU, Cyprus did not opt to apply a two-years' transitional period for access to the Cypriot labour market to citizens of EU Member States. Consequently, in accordance with the provisions of Articles 39-42 of the Treaty of Establishment of the European Community, since 1/5/2004 nationals from all the EU Member States have a right to free movement, residence and paid employment in Cyprus and so do both their spouses and children under the age of 21 years as well as their dependants as long as they provide the documentation required (see below).

Law 92(1)/2003 on the Free Movement and Residence of EU Nationals and their Families that was passed by Parliament on 18 July 2003 and Law 126 (1)/2004 that amended parts of the aforementioned law came into force on 1 May 2004 when the Republic of Cyprus became a member of the EU.

To facilitate labour mobility within the context of the free movement of workers from EU Member States in Cyprus, the Department of Labour of the Ministry of Labour and Social Insurance is partner of EURES. To deal with problems arising in the internal market, the Competition and Consumer Protection Service of the Ministry of Commerce, Industry and Tourism has a SOLVIT center in Nicosia.<sup>3</sup>

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3 E-mail: [solvit@mcit.gov.cy](mailto:solvit@mcit.gov.cy).

## **Chapter VIII Statistics**

Drawing on statistical data supplied by the Department of Labour, Ministry of Labour and Social Insurance, during the period 1/5/2004-31/12/2004 a total of 5,292 workers from EU Member States were employed in Cyprus. Of those, 1,796 (33.9%) were from Greece, Poland 1,131 (21.3%), the United Kingdom 806 (15.2%), 616 from Slovakia (11.6%), Hungary 140 (2.6%), Germany 128 (2.4%), Latvia 124 (2.3%), Finland 73 (1.3%), Lithuania 64 (1.2%), Sweden 62 (1.1%), Ireland 51 (0.9%), Czech Republic 39 (0.7%), Slovenia 36 (0.6%), Estonia 35 (0.6%), Denmark 34 (0.6%), Portugal 32 (0.6%), France 29 (0.5%), Italy 22 (0.4%), Belgium 19 (0.3%), Norway 16 (0.3%), Netherlands 15 (0.2%), Austria 11 (0.2%), Switzerland 5 (0.09%), Luxembourg 4 (0.07%), Spain 2 (0.03%) and Lichstenstein 2 (0.03%). Prior to 1/5/2005, workers from EU Member States were employed on yearly contracts and do not appear in the statistics cited.

## **Chapter IX**

### **Social Security**

According to the judgement in the *Trojani* case, an EU citizen legally residing in another Member State but not being employed is entitled to social assistance. Current legislation and practice in Cyprus complies with the aforementioned decision with one limitation: social assistance is not provided during the first three months of residence of an EU national when no residence permit is required and such a person is deemed to be a visitor.

As far as the entitlement of job-seekers to social advantages on the basis of the decision in the case of *Collins* (C-138/02) is concerned, such assistance is not foreseen for Cypriot nationals and, consequently, is not available to EU citizens. It should be noted here that, as in the case of Cypriot nationals, citizens of an EU Member State are entitled to unemployment benefit for up to six months if they have previously been gainfully employed in Cyprus.

Where the legislation of the Republic of Cyprus does not provide for a right to a pension on the basis of age for some categories of unpaid workers, the pre-condition of age is considered to be satisfied as long as the EU nationals entitled to the right of permanent residence have completed their 65<sup>th</sup> year of age.

The precondition of more than two years' continuous residence for an EU national who has been involved in unpaid work or providing unpaid service in the Republic of Cyprus to be granted permanent residence does not apply if he/she has suffered incapacity to work as a result of an accident or illness in the context of work, events that confer a right to a pension payable in total or in part by the Department of Social Security.

## Chapter X Establishment, Provision of Services, Students

### Recognition of Professional Qualifications

A precondition for the free movement of workers within the EU is the ability of EU citizens to obtain jobs on the basis of the professional qualifications in countries other than the one in which they reside. For the harmonization with the Directive on the General System for the Recognition of Professional Qualifications (Directives 89/48/EEC, 92/51/EEC and 99/42/EC), the Parliament of the Republic of Cyprus has introduced relevant legislation in order to apply the General System on the principle of reciprocity.<sup>4</sup> The legislation covers both the *Sectoral Directives*, which cover one profession each, such as doctors, nurses, dentists, veterinarians, midwives, architects, lawyers and pharmacists, and the three Directives of the *General System* that cover all the other professions. Thus, by addressing both the Sectoral as well as the General System, the Republic of Cyprus has facilitated labour mobility. In the case of captains or first officers of ships having access to such posts in Cyprus, the only requirement for all applicants, irrespective of their nationality, is that they hold a *Certificate of Competency* for the respective post that is recognized by the Republic of Cyprus

Regarding the competent bodies, these are:

- the *National Coordinator* who is designated by the Council of Ministers and coordinates the administrative authorities in order to promote the better application of the legislation. In addition, the National Coordinator *inter alia*, communicates to the Commission every two years, a report on the application of the provisions of the Laws, which contains a table of the decisions taken and a description of the main problems arising from the application of the Laws.
- the *National Focal Point* for the application of the relevant laws has been designated to be the Labour Department of the Ministry of Labour and Social Insurance. It provides information regarding the regulated professions and the “competent body” to nationals of Member States who wish to pursue a regulated profession in the Republic of Cyprus.

Regarding the procedure, every applicant who wishes to pursue a regulated profession in the Republic submits an application to the competent body together with all the necessary certificates and other evidence; the competent body examines the application and decides in accordance with the laws and the legislation regulating the profession in consideration and it informs the applicant of its decision, duly reasoned, within four months from the date of presentation of the application together with all the necessary documents. In case of doubt concerning the academic recognition of qualifications, the competent body may refer to the Cyprus Council for the Recognition of Higher Education Qualifications for its opinion. Finally, the applicant has the right to appeal against an act or omission of the competent body, including its failure to consider the application within the specified time limits. The appeal should be made to the Supreme Court in accordance with Article 146 of the Constitution. A likely problem as far as the procedure for pursuing a regulated profession in Cyprus is concerned is that, as far as it has been possible to ascertain, the Cyprus Council for the Recognition of Higher Education Qualifications normally takes 3-6 months to reach a decision on the academic recognition of qualifications. Consequently, the four-month limit within which the

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<sup>4</sup> *Guide for the General System for the Mutual Recognition of Professional Qualifications*, Ministry of Labour and Social Insurance, Department of Labour, Republic of Cyprus, Nicosia, Cyprus

competent body has to inform the applicant of its decision may well be violated and applicants appeal to the Supreme Court.

## **Students**

See also 'Family members'.

### *Texts in force*

The right to residence in the Republic of every student (Form MEU 5) who is a citizen of a Member State, their spouse and dependent children (irrespective of their citizenship) is provided in Part VI (Art. 44 (1) and (2)). Students are issued with a written residence permit for the same duration as the period of their professional training (Art. 47 (1) and (2)).

Article 48 (1) states that the procedure for the issuing of a residence permit or residence document is the same as that detailed in Article 38 (1) and (2). The documentation required for a residence permit or residence document in the case of students is:

- a. the valid passport or identity card with which they entered the Republic;
- b. a letter from a recognized educational institution that the person concerned is enrolled in that institution in order to attend a course of professional training;
- c. a statement by the applicant or another type of document that proves the spouse or dependent child has sufficient financial means so that the student and the spouse and dependent children during their stay in the Republic will not burden its social security system, that he/she has health insurance that provides cover for all the risks in the Republic.

The right to residence exists for so long as the student is enrolled for a course of professional training at a recognized educational institution (Art. 49), the residence permit and residence document issued can be renewed at the payment of the same fee provided for other categories of workers (Art. 49 and 50).

Article 51 states that the provisions of Part VI do not form the basis of a right by a student who has a right of residence to receive from the Republic any maintenance allowance for their studies. However, legislation pending before Parliament will provide for educational grants for EU citizens as is currently the case with Cypriot nationals. Thus, since Cyprus joined the EU on 1 May 2004, EU citizens wishing to pursue tertiary studies in Cyprus have not been treated the same as Cypriot nationals who are entitled to educational grants. If a person dealt with in Part VI does not apply for residence within three months of entering the Republic he is committing an offence punishable with a maximum fine of 500 pounds (Art. 52). Finally, Article 53 affords the Minister of the Interior discretion to deviate from the provisions of Part VI of the Law.

### *Literature*

Ministry of Labour and Social Insurance, Department of Labour (2004), *Living and Working in Cyprus*, Republic of Cyprus, Press and Information Office, Nicosia, Cyprus.



## Chapter XI Miscellaneous

Regarding the implementation of the Association Agreement EEC-Turkey and Decision 1/80 of the Association Council EEC-Turkey in the report, these community law rules have not been implemented in Cyprus, as in other EU Member States, because the agreement has not been ratified yet by the national parliament of Turkey. In addition, at the time of writing the issue of Turkey's recognition of the Republic of Cyprus in the context of its application for the commencement of accession talks for membership of the EU remains unresolved as Turkey signed the protocol recognizing the ten new EU members but immediately issued a declaration stating it does not recognise the Republic of Cyprus.

Concerning the free movement and residence of workers from EU Member States and the anomalous political situation in Cyprus, as mentioned at the start of this report, Cyprus has been divided since July 1974 when Turkey invaded and occupied the northern part of the island. The Republic of Cyprus joined the European Union on 1 May 2004 with all its territory. However, due to the existence of the Green Line dividing the free areas of the Republic forming the northern occupied by Turkey, the European Commission on 29 April issued Regulation 866/2004 which provides for the movement of goods, services and people.

According to the Direction issued by the Attorney General of the Republic on 26 May 2004,<sup>5</sup> citizens of EU Member States:

- can cross the Green Line to and from the areas not under the control of the Republic, irrespective of the point of entry into the territory of the Republic (1a);
- upon their entry from the areas not under the control of the Republic on foot or by a vehicle registered in an EU Member State, in the areas not under the control of the Republic or in the Republic (1d), they are subject to a check to determine their identity (identity card, passport or other traveling document) and for the purpose of preventing any threat to public security and order (1b and 1c);
- if they are crossing the dividing line into the free areas of the Republic by a vehicle, the vehicle and items in the possession of the persons crossing are subject to occasional checks (1e);
- the children of Turkish-Cypriot citizens from a marriage to any foreign national can cross the dividing line to and from the areas under the control of the Republic, irrespective of which point of entry into Cyprus has been used by the foreign parent or where the foreign parent is domiciled. The same provision applies for spouses of Turkish-Cypriots.
- the children of Turkish-Cypriot citizens from a marriage to any foreign national and the foreign spouses of Turkish-Cypriots are subject to checks when crossing the dividing line into the areas controlled by the Republic in order to determine their identity (passport, identity card or other traveling document). In cases where foreign spouses of Turkish-Cypriots are required to have acquired visas to enter the republic, they are not required to be in possession of an entry visa when crossing the dividing line.
- nationals of third countries are free to cross from and into the areas controlled by the Republic if there is no information that they constitute a threat to public security

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5 Attorney General's Office, Republic of Cyprus, *A Code for the Implementation of Regulation 866/2004EU of the Council Concerning the Status on the basis of Article 2 of Protocol 10 of the Accession Act* (Green Line - Movement of Persons), Nicosia, Cyprus, 26.5.2004, (File No: 4.2.46.24).

and order. They are persons who have entered the territory of the Republic from a legal port or airport and/or reside in Cyprus (2(a.i); if they require no visa and have entered from a port or airport in the areas not under the control of the Republic (2 (a ii); if they are resident permanently in the areas not under the control of the republic having been permitted to do so by the Immigration Officer (2 (a ii); have obtained the required visa but have entered the territory of the Republic from an illegal port or airport (2(aiv); persons who hold long-stay visas or residence permits from another EU member country and are allowed to travel freely within the EU.

- third country nationals crossing the Green Line into the areas under the control of the Republic by vehicle are subject to occasional checks of their vehicle and items in their possession (2(c).

Third country nationals crossing the Green Line into the areas under the control of the Republic and who have entered the territory of the Republic from an illegal port or airport who are required to possess a visa but do not possess such a visa are not allowed to cross the dividing line and, unless they apply for asylum, they are treated on the basis of the Aliens and Immigration Law concerning illegal entry into the Republic.

#### *Literature*

Attorney General's Office, Republic of Cyprus, *A Code for the Implementation of Regulation 866/2004EU of the Council Concerning the Status on the basis of Article 2 of Protocol 10 of the Accession Act* (Green Line - Movement of Persons), Nicosia, Cyprus, 26.5.2004, (File No. 4.2.46.24).

## Conclusions

There appear to be no obstacles to entry, residence, and departure of citizens of EU Member States and their family members. To some extent the government of Cyprus was unprepared to implement the legislation upon Cyprus' becoming a full member of the EU. To illustrate, the government printer was asked to print the relevant forms on 30/4/2004 and did so in October 2004. Difficulties in processing applications for employment have been due to the fact that three different ministries are involved and their officials cannot communicate by computer, as their computer systems are not compatible.

The examination of the main legislation introduced by the Republic of Cyprus for the free movement of EU workers in Cyprus has shown that it is adequate. However, despite the amendments made in 2004 to the basic law on the free movement and settlement of EU nationals and their dependants in Cyprus, there are a number of ambiguities that need to be corrected. These concern "involuntarily unemployed" in Article 7 (4), and "services to the Republic of Cyprus" in Article 9 (1). In addition, the legislation treats inconsistently (a) students who have to pay 2,000 Cyprus pounds more than other categories of persons in the same legislation for failure to apply for residence permit or residence document, and (b) workers from EU Member States pay four times more Cyprus pounds to obtain a residence permit than Cypriot citizens do to obtain an identity card. More specifically, under the Aliens and Immigration Law, still in force, an Aliens Registration Certificate Number is still required for EU nationals for a payment of 20 Cyprus pounds, in contrast to Cypriot citizens being able to obtain an Identity Card for the payment of 5 Cyprus pounds. This discrepancy contravenes EU Directive 68/360 for the free movement of workers in the EU which provides for low cost procedures. Also educational grants are not yet available to EU citizens wishing to study in Cyprus.

Finally, due to the anomalous political situation in Cyprus, EU nationals crossing into the area controlled by the Republic of Cyprus from the northern part occupied by Turkey can be subject to identity checks and searches.

### *Publications to assist in the free movement of EU workers in Cyprus*

Ministry of Commerce, Industry and Tourism, Competition and Consumer Protection Service (2004), *SOLVIT. A Network for Problem Solving in the Internal Market*, Republic of Cyprus, Press and Information Office, Nicosia, Cyprus.

Ministry of Labour and Social Insurance, Department of Labour (2004), *Living and Working in Cyprus*, Republic of Cyprus, Press and Information Office, Nicosia, Cyprus.

Ministry of Labour and Social Insurance, Department of Labour (2004), *EURESS: A Guide for Employers*, Republic of Cyprus, Press and Information Office, Nicosia, Cyprus.

Ministry of Labour and Social Insurance, Department of Labour (2004), *Guide for the General System for the Mutual Recognition of Professional Qualifications*, Republic of Cyprus, Press and Information Office, Nicosia, Cyprus.