



**CIRCULAR 2009/04  
To ALL MEMBERS**

<b>DATE</b>	<b>28 JANUARY 2009</b>
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<b>SUBJECT</b>	<b>TCN SPOUSES OF EU CITIZENS</b>

Dear Members,

We refer to our circular 2008/07 dated 31 July 2008 in which we informed you that the Cyprus Migration Authorities do not grant the advantages of the 2007 Law on the right of Union Citizens and their Family Members to move and reside freely in the Territory of the Republic to Third Country National spouses of EU citizens if the marriage took place here in Cyprus. This practice was based on the very narrow interpretation of the English verb "to accompany".

We also informed you of the Judgement of the Grand Chamber of the European Court of Justice in Case C-127/08 on 25 July 2008, which convicted the Republic of Ireland for applying the same practice, stating that the place of marriage is of no importance whatsoever.

We forwarded a copy of the full text of this judgment to the Minister of Interior and to the Director of the Civil Registry and Migration Department and we called upon them to adjust their interpretation and application of the relevant law accordingly.

We are happy to inform you that at the end of November a meeting took place at the Ministry of Interior where it was decided to fully comply with the judgement of the European Court of Justice and to issue to all TCN spouses of EU citizens, the relevant "Residence Card of Non-EU Citizen Family Member of Union Citizen" MEU2.

Yesterday, 27/01/2009, Mrs. Anny Shakalli confirmed us that instructions to this effect have been given to and received by the local Immigration Offices already.

**Application procedure**

Third Country National Spouse of an EU Citizen will have to fill in the application form MEU2A. This form has to be submitted to the local Immigration Office (after appointment) and accompanied by the following documents:

1. Valid passport
2. A document attesting to the existence of the family relationship (for example: marriage certificate)
3. The Registration Certificate of the EU spouse



4. Proof of the existence of a consistent relationship with the EU citizen (i.e. a declaration from the local Mukhtar)
5. Two passport sized photographs.
6. Fee of 34,17 Euro

In case the TCN spouse works or wants to take up employment, he/she will also have to inform the Immigration Office by means of:

1. Form M64 – Application for permission to take up employment in Cyprus or change employment (please note that permission can not be refused – however for some professions pre-conditions exist; f.e. doctors, lawyers, architects, ...)
2. Another form, without reference number, entitled “Application for permission to take up employment in Cyprus”
3. A copy of the employment contract.
4. Proof of registration with the Social Insurance.

All the mentioned forms will be available at the Immigration Office at the time of registering an appointment.

**The Residence Card MEU2** is issued for an initial period of 5 years and thereafter renewed indefinitely.

It allows the holders to travel to all European Union countries without the need for a visa. A number of EU countries however do not apply this EC requirement yet, so it is advisable to check beforehand. In the coming days we will send out a list of countries of which we have received the assurance that they allow entry to holders of the Residence Card MEU2 without visa.

**Schengen Visas** are issued to holders of a Residence Card MEU2 free of charge, including 1 year or even 2 year multiple entrance visas.

If any members would require further information, please do not hesitate to contact CIBA on [ciba@ciba-cy.org](mailto:ciba@ciba-cy.org).

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