



# A pre-translation framework for public service translation: A sociological approach to enhance translation effectiveness

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**Abstract:** In this paper a pre-translation framework developed for public service translation is presented. The framework was developed from a sociological standpoint “whereby translation practice can be viewed in relation to people and institutions involved in it or affected by it” (Taibi & Ozolins, 2016, pp. 63-64) with the aim to provide contextualization and understanding that precedes the actual translation stage. After outlining the framework, its usefulness in obtaining key pre-translation information is showcased through an application form in the Spanish immigration context, i.e. an authentic public service text. Lastly, the paper shows how the information gathered based on the framework will assist in proposing an effective English translation of this application form in the future.

**Keywords:** Public service translation; effectiveness; pre-translation framework; immigration procedures; Spain.

## 1. Introduction

Historically, migration has been a key social phenomenon in Spain, and currently is still so, since according to Spain’s National Institute of Statistics (*Instituto Nacional de Estadística*, INE) more than five million foreign nationals were living in Spain in 2020 (INE, 2020). Although Spanish is the main mother tongue of migrants in Spain, other languages such as German, English, Dutch, Portuguese or Moroccan Arabic are also representative mother tongues of migrant groups in the country (INE, 2007, p. 3). In this multilingual context, public service interpreting and translation (PSIT) together seek to empower these community members by facilitating their communication and interaction with the host society. Although public service translation (PST) in Spain has been traditionally overshadowed by public service interpreting (PSI), in recent years there has been a high demand for translated materials for minority communities wishing to bridge the communication divide they experience in dealing with the Spanish public sector (Valero & Sales 2007)<sup>1</sup>. In this paper, I will therefore focus on PST in Spain, where – in light of the above – it is clear that this service is both wanted and needed. If empowerment of these communities is considered the overarching mission by which PS translators need to be guided (Taibi, 2018a, p.19), then in order to guarantee this

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<sup>1</sup> Generally, several authors have noted the more limited production of research in PST, also known as community translation, compared to PSI (Taibi, 2011, 2018b; Taibi & Ozolins, 2016; Tomozeiu, 2016; Valero & Sales, 2007; Vargas, 2011). As argued above, the same tendency has been observed in Spain, with generally more limited works on PST (such as Onos, 2013; Ruiz, 2019; Taibi, 2006; Valero, 2002; Valero & Sales, 2007; Valero & Lázaro, 2018; Vargas, 2011).

empowerment, the effectiveness of PS translations should arguably be taken into account. Accordingly, in this study effectiveness is directly linked to the notion of empowerment, which may be broadly understood as “the process of gaining freedom and power to do what you want or to control what happens to you” (Cambridge Dictionary, n.d.). With this logic, I contend that effectiveness within the PST context is measured by the extent to which translations are tailored to the varying needs of their target readers in order to allow them not only to access their key public information, but also to use this information to become active participants with control over the communicative act occurring within the public service context. Therefore, this position emphasises that PST not only seeks to bridge the communicative gap between the public services and the users involved, but also to empower the latter to become independent participants within the very public services that exercise control over user outcomes.

Based on the premise that pre-translation analysis may play an important role to foster PS translation effectiveness, in this paper I propose an analytical framework for PST to explore the main aspects that come into play in the pre-translation stage. Underpinned by a sociological perspective, I aim to offer a holistic framework “whereby translation practice can be viewed in relation to people and institutions involved in it or affected by it” (Taibi & Ozolins 2016, pp. 63-64), with a view to prompting a critical pre-translation reflection that favours effectiveness. This sociological approach is useful in the PST context, given that:

Sociological insights complement other translation approaches by providing a general framework for contextualization and understanding that precurses actual translation strategies and implementation. They also provide translators with a broader theoretical frame to reflect upon their actions, professional role and social impact. This is especially needed in the context of community translation, where translation (or lack thereof) and translation strategies have an immediate and direct impact on the lives and interests of people and communities (Taibi & Ozolins, 2016, p. 64)<sup>2</sup>.

Thus, bearing in mind all of the above, the objective of this paper is twofold. Firstly, I aim to outline the pre-translation framework proposed. To do so I review relevant PST literature (Section 2), and then draw upon it to outline the framework proposal (Section 3). Secondly, I seek to illustrate the usefulness of this framework. To this end, I use a Spanish Residence Application Form (hereafter RAF)<sup>3</sup> as a case study to showcase how to obtain vital pre-translation information to propose an effective English translation of the RAF in the future (Section 4). Finally, the main conclusions are presented (Section 5).

## **2. Public service translation and its effectiveness**

Generally speaking, there are two opposing views on PST: one foregrounds its social inclusion function and the other perceives it as a social and economic burden upon the society in question (Townsend, 2018, pp. 111-112). As argued in Section 1, I defend the first position, since I believe that PST is a field

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<sup>2</sup>Thus, this framework may complement other PST frameworks, such as Taibi’s (2018a) multidimensional framework for quality, since it provides useful information for its pre-translation stage.

<sup>3</sup>The *Application for a Residence Card as the Family Member of a European Economic Area or Swiss national*, the RAF, is presented as Appendix 1. According to the Spanish authorities, there is no plan to provide a translation of the RAF in the short term (see Ruiz-Cortés, 2020, p. 463). For this reason, I seek to propose its English translation in the future using the findings of this paper.

characterised by its social mission (Taibi & Ozolins, 2016, p.11) which intends to promote the civic integration of disempowered social groups by empowering them within the public services. Foregrounding this position, several PST studies have questioned the extent to which PS translations are effectively fulfilling their objective of empowering migrants. For instance, in the British context, Shaw and Ahmed (2004) revealed the very often inaccessible language in translations of genetic counselling leaflets translated from English into Urdu. In the same context, Tomozeiu (2016) proposed three methods derived from user-centred translation – personas, implied readers and audience design – to help PS translators in visualizing the characteristics of the intended users and, hence, to make informed translation decisions. In the Spanish PST context, Taibi (2006) tested the communicative effectiveness of Spanish informed-consent forms, translated into Modern Standard Arabic and English, and found that these translations were unintelligible to a considerable percentage of Arabic-speaking users (Taibi, 2006, p. 192). Valero (2007) also conducted an empirical study on the reception of PS translations concluding that several challenges still needed to be addressed in the Spanish context. Furthermore, both Molina (2007) and Klein (2015), after analysing translated EU visa forms into different EU languages, highlighted that these translations were not effective since they did not consider the challenges users encounter when decoding the translation. All in all, what can be inferred from this succinct literature review is that translating without considering effectiveness cannot be considered sufficient for PS translation purposes. Hopefully, the framework developed in this paper can contribute toward improvement through a reflective pre-translation analysis.

### **3. Pre-translation analytical framework for PST**

In this section the pre-translation analytical framework proposed is outlined and the rationale behind it is provided. The framework is divided into three main levels: the legal context, the sociolinguistic context and the textual context. Furthermore, at the end of the framework, a critical reflection section is included in order to specify the main implications of the information gathered throughout the framework (see Table 1).

#### ***3.1. The legal context***

Ultimately, public service texts are derived from one or several legal instruments that justify their production and determine their structure, rationale, aim and content (Klein, 2015). Accordingly, unravelling how these legal instruments influence the source text (ST), and consequently impact the target text (TT), is vital to foster the understanding and decoding of the ST in the pre-translation stage. This fact justifies the inclusion of this legal context in this pre-translation framework.

#### ***3.2. The sociolinguistic context***

The sociolinguistic context is subdivided into three key subsections that represent vital PST aspects: the social situations in which PST is required, PST provision in the society where the ST and TT are produced, and the social actors involved in it.

##### ***3.2.1. The social situations***

Within public services, PST is required in a variety of social situations (Taibi, 2011, pp. 215-216). In fact, Taibi & Ozolins (2016, p. 10) argue that this language service is not only needed by migrants, which may be regarded as the most common scenario, but to varying extents is also required in countries with

co-official languages, such as South Africa, or in situations when temporary diversities arise, such as armed conflicts or even tourism. Obviously, within ‘migration’ or ‘temporary situations’, PS translations may be needed in a variety of settings ranging from legal, medical or educational to social services, such as housing or immigration services (Onos, 2013; Taibi, 2011; Taibi & Ozolins, 2016; Valero, 2002). An understanding of this social situation is pivotal for translators to situate the ST and TT in a specific social practice, which justifies its inclusion in the pre-translation framework.

### 3.2.2. *PST provision*

Meylaerts & González (2017, p. 6) highlight that “the role of translation policies in creating and securing linguistic and civil rights remains largely under-researched in Translation Studies”. Nonetheless, exploring those policies is of utmost importance in the PST context, since ultimately they are conscious choices made by governments at different levels in order to guarantee and regulate the provision of translation services within the public sector (Córdoba, 2016, p. 134). Although PST provisions differ from country to country, and even within the same country, there are three broad levels of development concerning PST provision (Taibi & Ozolins, 2016, pp. 20-23): a group of pioneer countries with developed translation service provisions such as Australia; those which have recently become aware of the importance of language services and are starting to address the needs in this area, such as Spain; and those countries where PST services still do not exist. In fact, Taibi & Ozolins (2016, p. 22) highlight that many countries tend to adopt ad hoc measures in addressing the needs of their linguistically heterogeneous populations, which results in PST services being provided sparsely or not at all. Considering that translation availability is “to a large extent determined by the sociopolitical regime and the national and local governments’ approach to social equity, human rights, multiculturalism and language planning” (Taibi & Ozolins, 2016, p. 19), the analysis of PST provision in the society where it is implemented is crucial to a better understanding of each specific PST context. In this paper, I analyse PST provision by drawing on González’s (2016) definition of translation policy, which encompasses “translation management, translation practice and translation beliefs” (these concepts are defined and addressed in Section 4.2.).

### 3.2.3 *PST agents*

Beyond the translator, in any PST communicative interaction there are two other main participatory agents: the PS translation initiators-producers, and the users. Initiators-producers are usually public services, and users are normally community members. However, as PST is not unidirectional, in some cases these roles are reversed: public services are sometimes users (Taibi, 2011; Taibi & Ozolins, 2016; Tomozeiu, 2016), while other social agents, such as citizens or ethnic groups (Taibi, 2018b, p. 1) can also be producers.

The agents who initiate the whole PST process will be referred to as ‘initiators-producers’ in the framework, understanding that they are “agents interested in the production of translated documents” (Valero & Sales, 2007). This generic term will allow me to include within this category service providers (e.g. different kinds of private or public organisations) as well as other social agents. The term ‘user’ (Córdoba, 2016; Taibi, 2006, 2011; Taibi & Ozolins, 2016; Tomozeiu, 2016) is used to refer to the translation audience within this context. Undeniably, the identification of the main characteristics of these agents by PS translators is useful not only to negotiate translation specifications with the initiator-producer, but also to understand how these agents may influence the translation process. However, especially in the case of users, identifying their main characteristics is not an easy task, considering that

heterogeneity is a rule rather than an exception, and consequently, the risk of drawing on stereotypes and generalizations should be avoided. Thus, considering the abovementioned heterogeneity, the framework does not seek to propose specific methods to explore these agents' profiles (as Tomozeiu, 2016 did for users), but to allow for a general reflection on their main characteristics. To do so, I will start by describing the agent in question (mainly who the agent is), in order to subsequently address the common characteristics this agent shares with similar agents (characteristics shared by public bodies generally) and the individual characteristics of the agent in question (within the public body category, what specifically distinguishes immigration offices for instance).

### **3.3 Textual context**

In any pre-translation analysis, examining the characteristics of the ST and TT is crucial. To this end, Nord's (2018) work regarding ST and TT analysis is of use. Nord (2018, p. 61) stresses the importance of comparing the "ST and TT situations", since "pragmatic translation problems arise from the differences between these situations". Therefore, I will explore both the ST and TT features based, firstly, on Nord's proposal (2018, pp. 56-59) – comparing the intended text functions, times and places of reception, mediums and motives for the text production and reception of the ST and the TT<sup>4</sup>–, and secondly, on Valero's (2002; 2007) general classification of PST texts (see Table 1). Furthermore, to redress any possible shortcomings, this textual context will include an 'others' subsection to allow translators to note extra elements or comments that may be applicable to their particular ST or TT.

### **3.4 Critical reflection**

After gathering all the information provided by the legal, sociolinguistic and textual contexts of the framework, PS translators will be able to reflect on its implications not only for their translation, but also for themselves as social agents within this context. On the one hand, they will be able to determine the type of PS translation they are dealing with using Nord's documentary and instrumental translation categorisation (see Nord, 2018, pp. 45-50). This categorisation has been chosen for the framework because it is centred on text function, which is a key aspect that PS translators need to consider when meeting the needs of their heterogeneous users and, hence, to foster their translations' effectiveness. Unquestionably, the above identification will also guide them to choose the most appropriate translation approach as well as to reflect on the possible translation strategies that may be used to ensure that desired effectiveness. On the other hand, based on the information collected, translators will be able to reflect upon their professional roles within the PST process and upon the social impact of their future translation decisions.

Table 1 below summarises the pre-translation framework proposed for PST.

In Section 3 the pre-translation framework proposed has been outlined (goal 1). Now, in Section 4, the usefulness of the framework will be showcased using a real PST text as a case study (goal 2).

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<sup>4</sup> I have not included the addressees as they are included in the section on agents (3.2.3).

Table 1: A pre-translation framework for public service translation.

<b>A PRE-TRANSLATION FRAMEWORK FOR PUBLIC SERVICE TRANSLATION</b>		
<b>1. LEGAL CONTEXT</b>		
1.1. Legal instruments that justify the production of the ST and the TT	1.1.1. International legal instruments 1.1.2. National legal instruments 1.1.3. Local legal instruments 1.1.4. Other kinds of legal instruments	
<b>2. SOCIOLINGUISTIC CONTEXT</b>		
2.1. Social situations	2.1.1. Migration 2.1.2. Multilingual countries with more than one official language 2.1.3. A variety of temporary communities (such as tourists) 2.1.4. Others	Settings <ul style="list-style-type: none"> <li>• Legal</li> <li>• Healthcare</li> <li>• Education</li> <li>• Social services (such as immigration services)</li> </ul>
2.2. PST provision	2.2.1. Developed translation policy 2.2.2. On-going development of translation policy 2.2.3. Undeveloped translation policy	<ul style="list-style-type: none"> <li>• Translation management</li> <li>• Translation practice</li> <li>• Translation beliefs</li> </ul>
2.3. PST agents  RELATIONSHIP BETWEEN THESE AGENTS	2.3.1. Initiator-producer	Characteristics <ul style="list-style-type: none"> <li>• General description of the initiator-producer</li> <li>• Common characteristics</li> <li>• Personal characteristics</li> </ul>
	2.3.2. Users	Characteristics <ul style="list-style-type: none"> <li>• General description of the user</li> <li>• Common characteristics</li> <li>• Personal characteristics</li> </ul>
<b>3. TEXTUAL CONTEXT</b>		
3.1. Analysis of the PS translation brief	3.1.1. ST 3.1.2. TT	Characteristics <ul style="list-style-type: none"> <li>• Text type</li> <li>• Text intended function</li> <li>• Motive for production/reception</li> <li>• Theme</li> <li>• Time and place of text reception</li> <li>• Medium</li> <li>• Other</li> </ul>
<b>CRITICAL REFLECTION</b>		
For the PS translation	<ul style="list-style-type: none"> <li>• Type of translation (documentary or instrumental)</li> <li>• Translation approach</li> <li>• Translation decisions</li> </ul>	
For the PS translator	<ul style="list-style-type: none"> <li>• Role of the PS translator</li> </ul>	

#### 4. A pre-translation framework for PST: The case of the RAF

In this section I will showcase the usefulness of the framework in obtaining crucial pre-translation information to propose an English translation of the Spanish Residence Application Form (RAF) chosen and similar public service documents.

##### *4.1 The legal context of the RAF*

Under EU law, and particularly under EU Directive 2004/38/EC, family members of EEA nationals (European Economic Area, comprising the EU member states, Iceland, Liechtenstein and Norway) and Swiss nationals have the right to move and reside freely across the EEA and Switzerland. In Spain this Directive has been transposed into Spanish legislation under Royal Decree RD 240/2007, and the Spanish Ministry for Inclusion, Social Security and Migrations<sup>5</sup> (hereafter the ‘MISSM’) has been in charge of implementing this national law over the years. This accordingly signifies that the application form under study here was created by the MISSM in accordance with these supranational and national legal instruments.

##### *4.2 The sociolinguistic context of the RAF*

The social situation within which this document is framed is migration. This application allows third-country citizens, who are family members of EEA or Swiss nationals, to apply for a residence card in Spain. Therefore, the hypothetical brief here is to translate the (to date untranslated) RAF into English to facilitate the residency application process for non-Spanish speakers. In terms of the different settings in which PS texts may fit, the translation domain is administrative, as the translated version will be provided by the MISSM for use at local immigration offices and other public services.

As for translation provision within this context, it should be noted that, although currently the RAF is not translated by the MISSM, some other immigration forms and informative documents for other immigration procedures in Spain have been made available in different languages by this Ministry (for a thorough description see Ruiz, 2019, pp. 228-232). Therefore, occasionally, translation is provided by this Ministry, so I contacted it in order to delve into translation provision within this public institution. I found that, unlike other Spanish ministries, the MISSM does not have its own translation department. After corroborating this fact, and despite their initial reluctance to disclose information, MISSM officials finally confirmed that the last time translations were outsourced by the Ministry was in 2013 to a human resources company called Adecco<sup>6</sup>. The fact that these translations were outsourced to a private company was not surprising; however, the fact that Adecco was the company hired to translate them certainly was. Effectively, De las Heras (2017, pp. 63-64) highlights the low threshold required by Adecco’s recruitment in terms of training and qualifications: knowledge of a foreign language or being a native speaker of the language are sufficient to consider applicants as qualified for translator positions. This recruitment system undoubtedly raises questions about quality assurance as well as professional standards. This also confirms that “Not only non-governmental organizations rely heavily on untrained translators, but also Spanish government institutions” (Taibi, 2011, p. 220). Whatever the case, the fact remains that although the MISSM does provide translations for some immigration procedures in Spain – unsurprisingly benefitting those migrant groups powerful enough to lobby for such translated material (see Ruiz, 2019) – neither the RAF nor any other related document that

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<sup>5</sup> See: <http://www.mitramiss.gob.es/es/organizacion/misism/index.htm>

<sup>6</sup> See: <https://www.adecco.es/> This was confirmed in several emails and a telephone conversation with the *Dirección General de Migraciones* of the MISSM in 2019.

may assist residency applicants with this EU-regulated procedure are currently available in translation from the MISSM<sup>7</sup>.

Consequently, if “‘Translation management’ refers to the decisions regarding translation made by people in authority to decide a domain’s use or non-use of translations” (González, 2016, p. 54), it seems that in this case translation management is quite inconsistent. That is, process and logic that the MISSM uses to determine which immigration procedures will (or will not) be supported by translations are not clear, nor have they been clarified by the Ministry upon enquiry. Undeniably, this reveals poor translation management on the Ministry’s part, and neglects the procurement of public document translations for some migrants (such as the ones involved in our case study) while providing it free of charge for others during immigration procedures (see Ruiz, 2019). If we shift the focus to translation practice, which “involves questions such as what texts get translated [...] into and out of what languages, and where it takes place” (González, 2016, p. 55), it could be argued that translation practice within the MISSM also behaves inconsistently, since migrants will be provided (or not) with translation services depending on the immigration procedure that is applicable to them. Unquestionably, behind translation management and practice, there seem to lie specific “translation beliefs” or “beliefs that members of a community hold about the value of translation” (González, 2016, p. 55). Arguably, the fact that the MISSM provides translation services for some immigration procedures in Spain suggests that the Ministry is aware of the positive value of translation in this multilingual context. However, both its translation management and its translation practice do not enable all migrant groups to benefit from it equally. As for the translation beliefs that underpin this situation, it would be naïve to link it strictly to beliefs concerning the high costs of offering PST to migrant communities or the scarce public resources to do so. In other words, if budgetary constraints were the problem, and effective communication with migrant communities the goal to be achieved, translation would not be provided for the most powerful group of migrants (see Ruiz, 2019) who, in most cases, will be able to pay for translation services (if needed). Hence, these findings seem to suggest that the genuine contribution that PST can make to the lives of disempowered migrant communities in Spain is underestimated by the MISSM. Thus, at least in the context analysed, the above seems to indicate that Spain belongs to the “ongoing development” group of countries concerning translation provision, since much remains to be done to respond to the existing needs of its migrant population and a clear PST policy is still needed.

As for the agents involved within this PST communicative interaction, the initiator-producer is the MISSM, while the intended users are numerous and varied. All of them are third-country migrants that have a certain family relationship with an EEA or Swiss national, making them eligible applicants for the process sponsored by the application form. Indeed a wide variety of residents will meet those eligibility requirements, which implies heterogeneity of the profile of users of both the application form and its translation. In other words, in this case study the anticipated users of the MISSM’s Residency Application Form will differ in age, nationality, language, culture, socio-economic situations or educational backgrounds (MISSM, 2021). Notwithstanding this, all the applicants involved will share a common

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<sup>7</sup> The sociolinguistic context in most of Spain’s immigration offices does not help either to favour understanding in this case study. While these offices are almost exclusively dedicated to migrants, they do not offer translation and interpreting services, nor are their staff required to have proficiency in languages other than Spanish (Codó, 2008, p. 200). In fact, empirical studies have shown that although public officials frequently witness the considerable language barriers that migrants experience in these offices, they do not seem to value the beneficial role that translators and interpreters could play in bridging this communicative gap (Acuyo, 2009, pp. 236-237).



denominator: being migrants. It is precisely due to this fact, and as previous studies indicate, that such applicants will generally share their initial misunderstanding not only of Spanish bureaucracy (Codó, 2008), but also of the implications that their statements may have on the final administrative decision on the granting of legal residence (Sarangi & Slembrouck, 2013). Furthermore, this occurs in a bureaucratic context where there is an asymmetrical relationship between the agents involved, with migrants being in a subordinate position to the authorities or, as Sarangi & Slembrouck (2013, p. 59) put it, with “an examinee supplying information to an examiner [through the RAF in this case], who, in his/her turn, is also mandated to doubt, challenge and probe into any aspects of the applicant’s life that he/she may deem relevant to the procedure”.

#### **4.3 The textual context of the RAF**

The ST studied, the RAF, is an official document produced for third country family members of EEA and Swiss nationals to apply for a resident card in Spain under EU law. On the one hand, this form has the referential function of presenting the applicant with the information he/she is required to complete to obtain the resident card that attests to his/her right to legal residence in Spain. On the other hand, the RAF also has the phatic function of defining the asymmetrical relationship (Nord, 2018, p. 43) between the Spanish authorities, who examine the applicant’s eligibility to be granted legal residence in this context, and the migrant, who is required to prove said eligibility to the Spanish authorities. Thus, its theme is migration/ regularisation. Particularly, this immigration form will be used throughout Spain indefinitely until it is modified or replaced, and it is available online and in hardcopy. As for the TT, it will not be an official document<sup>8</sup> and its motive for reception is to help the applicants to understand and to complete the form in Spanish. The functions, theme, time and place of reception as well as the medium of the TT are the same as those highlighted above for the ST.

#### **4.4 Critical reflection**

Several relevant implications may be deduced from the information gathered in the legal, sociolinguistic and textual contexts of the framework.

Firstly, the *legal context* has allowed me to identify the key legal instruments needed to decode the ST. These legal instruments will assist me, among other things, to find crucial definitions and key terminology and phraseology for the English translation of the RAF. In fact, in Ruiz (2021), I have performed a comparison of the lexicon of the RAF and the lexicon used in these legal instruments. There it is shown that the analysis of these legal instruments is vital to understanding aspects such as the limitations of the lexical choices used in the RAF to represent these migrants (EU-centric terminology is used, which leads to the exclusion of certain nationals) or the underlying reasons why terminology is used inconsistently in the RAF.

Secondly, the *sociolinguistic context* has allowed me to situate the ST and the TT in a specific administrative social practice: the application process for an EU resident card in Spain. In my view, the fact that this is an administrative practice within the migration context has a direct implication in terms of the power asymmetries that should be borne in mind when translating. The power imbalances already present in any administrative context between the authorities and the users are heightened in this case by the fact that users are foreign nationals seeking to obtain legal residence in Spain. In other words, in this context migrants are in a subordinate position to the Spanish authorities not

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<sup>8</sup> This is because the only application that Spanish authorities will consider as such is a completed RAF in the Spanish language, and therefore translations cannot be submitted as forms. For this reason, when the ministry provides translations of immigration forms, it is clearly stated in the translation that “this is not an official document”.

only because the authorities make the final decision on their granting of legal residence, but also because they determine the structure, the content and the relevance of the issues addressed in the document that allows them to make that decision: the RAF. Thus, the fact that the MISSM creates this form provides relevant information for the translation process. Specifically, previous research shows that, although forms should ideally be user-designed – which in this case would imply tailoring the RAF to the needs of its heterogeneous foreign users – very often they tend to be created to serve merely as an instrument of the most powerful participant in the communicative act (here, the immigration authorities) to gather information that suits its institutional agenda (Sarangi & Slembrouck, 2013, p. 38). Textually this fact has several effects on the RAF: (1) instructions are not located in the best place to foster user comprehension; (2) vague instructions are given in order to complete the form; (3) space to answer questions is insufficient to reflect non-standard answers (for instance in the nationality section) or (4) administrative jargon is used throughout the text without consideration to the problems migrants may encounter when attempting to decode it (for a thorough description see Ruiz, 2020, pp. 356-360). Furthermore, from the information collected in the *sociolinguistic context* it could be also inferred that the communication divide between the participants involved in this context, when applicable, is not solved by the deficient translation policy of the Spanish authorities, which neglects the potential of providing translations to favour effective communication between other-language groups and Spanish public services. Thus, arguably, in this case study, the MISSM seems to act as a gatekeeper of the flow of key information not only through its control over the drafting of the RAF, but also as the initiator-producer of any potential translation thereof, as the Ministry controls whether the RAF is made available in different languages for the nation’s heterogeneous population. In this way, arguably, the MISSM influences “which candidates should be allowed through the gate, that is, should be given access to limited socioeconomic resources such as [...] legal residence” (Codó, 2008, pp. 7-8).

Thirdly, the information gathered in the *textual context* has allowed me to determine that the English translation of the RAF is an instrumental translation that ostensibly seeks to help the applicants to understand the information they are required to provide to the authorities in the form in Spanish.

Thus, the information gathered throughout the framework has allowed me to *critically reflect* upon several aspects concerning not only the future translation of the RAF, but also my own professional role within this context. On the one hand, in the light of the information gathered, I have determined that the most suitable translation approach to be used is a functionalist one, since it will ensure that these migrants obtain the *effective translation* they need. In this case, translation effectiveness will be measured by the extent to which the translation assists the target audience in successfully completing this form, and the extent to which it equips them with the information they require to become active participants who have control over the information they provide within this administrative procedure. Consequently, bearing in mind that “an unsuccessful [administrative] outcome is often blamed on the client, because the bureaucratic decision is taken in accordance with the information provided [in the form in this case]” (Sarangi & Slembrouck, 2013, p. 130), translation effectiveness is vital to empower migrants in this context, since in the end, an ineffective translation may have very serious consequences on these migrants’ lives (being granted or not legal residence in Spain, and hence, being able to reunite with their families, for instance). On the other hand, the information collected in the framework has led me to face an undeniable truth: PS translators must choose a position when dealing with asymmetrical communicative acts such as the one studied here. Firstly, it might be inferred from the MISSM’s inconsistent translation policy that the translation of the RAF is not an

institutional priority for the Ministry, and thus the need for a different social agent, such as myself, to act as initiator-producer of an English-language translation (for example) is brought to the fore<sup>9</sup>. Secondly, the framework has also helped me to perceive myself as an active agent within the translation process whose ultimate aim should be to prioritise the RAF's translation effectiveness. Accordingly, I perceive the translation of the RAF as a means to empower these migrants by bridging the communicative gap they may experience and by balancing the textual and linguistic asymmetries present in the ST. Obviously, this position does not entail modifying what the ST says, which would be highly unethical, but rather prioritising user comprehension through appropriate translation decisions. Then, thirdly, this sociological framework has allowed me to reflect on some of the translation decisions that may foster the RAF's translation effectiveness, specifically: (1) the need to solve the limitations of the ST in the translation (such as conceptual limitations or the inconsistent use of terminology derived from the legal texts that justify its production)<sup>10</sup>; (2) the need to avoid the literal translation of lexical choices that may contribute to reproducing dominant power structures in the translation (such as the incomplete terms previously mentioned)<sup>11</sup>; (3) the need to compensate for textual and linguistic asymmetries present in the ST that assume immigration-implicit knowledge that may be unknown to the translation users (such as procedural aspects of immigration procedures in Spain) or (4) the need to clarify cultural-specific terms that may be vague for these users in the translation (*certificado electrónico asociado al DNI/NIE*)<sup>12</sup>.

All told, the pre-translation data gathered throughout Section 4 is presented in Table 2 below. Overall, Table 2 summarises how the pre-translation framework developed in Section 3 may be used to obtain useful pre-translation information on the RAF, which would guide its English translation in the future. In closing, my main conclusions are presented below in Section 5.

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<sup>9</sup> I plan to translate the RAF free of charge and to offer my translation proposal to the MISSM. If the Ministry decides not to use it, several immigration portals, which currently offer free information advice on immigration procedures, might find it useful as complementary information. Obviously, different challenges may arise depending on the site where this translation is made available (an institutional or a private site).

<sup>10</sup> I will also communicate to the MISSM the need to solve these problems in the ST in Spanish.

<sup>11</sup> These translation decisions are guided not only by the information gathered in the framework, but also by a critical contrastive analysis of the lexicon used in the RAF and the lexicon used in its analogous pre-Brexit UK form (Ruiz, 2021). This study, together with the consultation of EU reports on obstacles in the implementation of EU freedom of movement, confirmed the problems I initially detected, i.e. the conceptual limitations of some of the terms used in the RAF as well as the dominant ideology underlying some of its lexical choices (to see implications for the translation of this lexicon see Ruiz, 2021, pp. 564-567).

<sup>12</sup> The *DNI* (*documento nacional de identidad*) is the personal identity number assigned to Spanish citizens in Spain and the *NIE* (*número de identidad de extranjero*) is the national identity number assigned to foreign citizens residing in Spain.

Table 2. RAF pre-translation framework for PST.

<b>A PRE-TRANSLATION FRAMEWORK FOR PUBLIC SERVICE TRANSLATION</b>		
<b>1. LEGAL CONTEXT</b>		
1.1. Legal instruments that justify the production of the ST and the TT	1.1.1. Directive 2004/38/CE 1.1.2. RD 240/2007	
<b>2. SOCIOLINGUISTIC CONTEXT</b>		
2.1. Social situations	2.1.1. Migration in Spain	Settings <ul style="list-style-type: none"> <li>• Administrative. In the context of immigration procedures.</li> </ul>
2.2. PST provision	2.2.2. On-going development of translation policy (MISSM)	<ul style="list-style-type: none"> <li>• Inconsistent translation management.</li> <li>• Divergent translation practice that seems to respond unsystematically to linguistic problems in this context.</li> <li>• Underestimation of PST's contribution to migrants' life.</li> </ul>
2.3. PST agents  RELATIONSHIPS: Migrant-ministry: Asymmetrical relationship	2.3.1. Spanish Ministry for Inclusion, Social Security and Migrations	Characteristics <ul style="list-style-type: none"> <li>• Public institution of the majority culture.</li> <li>• Reluctance to disclose information and non-transparent translation decisions.</li> <li>• No translation department within the ministry and outsourcing of translations.</li> </ul>
	2.3.2. Family members of EEA or Swiss nationals	Characteristics <ul style="list-style-type: none"> <li>• Third country migrants that must have a certain family relationship with an EEA or Swiss national to be eligible to use this application.</li> <li>• Probable lack of understanding of the new social, cultural and bureaucratic reality faced.</li> <li>• Less familiarity with the specialised discourse used in this bureaucratic context.</li> <li>• A variety of personal characteristics that impact on how the applicant faces the procedure, such as the possibility of experiencing language barriers.</li> </ul>
<b>3. TEXTUAL CONTEXT</b>		
3.1. Analysis of the PS translation brief	3.1.1. RAF 3.1.2. English translation of the RAF	Characteristics <ul style="list-style-type: none"> <li>• Text type: -RAF: official document. -Translation: non-official document.</li> <li>• RAF and translation intended functions: referential and phatic.</li> <li>• Motive for production/reception: -RAF: needed for migrants to apply for their residence card. -Translation: needed for migrants with language barriers, and that understand English, to</li> </ul>

		<p>understand and complete the RAF.</p> <ul style="list-style-type: none"> <li>• RAF and translation theme: Immigration, regularisation.</li> <li>• RAF and translation time and place of text reception: Spain, indefinitely until replacement.</li> <li>• RAF and translation medium: Online and hardcopy.</li> </ul>
<b>CRITICAL REFLECTION</b>		
For the PS translation	<ul style="list-style-type: none"> <li>• Instrumental translation</li> <li>• Functionalist approach</li> <li>• Translation decisions: <ul style="list-style-type: none"> <li>-To solve ST limitations in the translation.</li> <li>-To avoid the literal reproduction of lexical choices that may contribute to legitimising dominant power structures.</li> <li>-To compensate the textual and linguistic asymmetries present in the ST.</li> <li>-To clarify culture-specific terms and administrative language when they are vague.</li> </ul> </li> </ul>	
For the PS translator	<ul style="list-style-type: none"> <li>• PS translator role: active agent within the translation process whose ultimate aim should be prioritising the effectiveness of the English translation of the RAF.</li> </ul>	

## 5. Conclusions

Translation effectiveness has been always at the core of PST contributions. Along with previous research (Section 2), this paper has sought to show that it will not be sufficient to simply provide a translation in a PST context without prior consideration of how and to what extent it might be understood by its end users. Specifically, this paper's initial findings show that sociological insights may contribute positively to PS translation effectiveness by providing "a general framework for contextualization and understanding" (Taibi & Ozolins, 2016, p. 64) prior to the actual translation process. While the sociological translation framework I have developed here is a mere starting point, and may be modified as needed, it shows potential benefits for translators or translation studies researchers who seek to favour a critical pre-translation analysis aimed at fostering translation effectiveness. Thus, this paper brings to the fore the need to further explore effectiveness of PS translations from both a theoretical and an empirical standpoint in the near future<sup>13</sup>. This is vital if we seek to create a just society in which all can participate and access social rights on an equal footing, since when the inability to communicate in the dominant language prevents citizens from accessing services and rights that others readily access, exclusion takes place – a contradiction to the fundamental principles and purpose of PST itself.

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<sup>13</sup> While delving into the Spanish PST context in the case study presented, the framework has also revealed some features of translation policy in this context that may not be ideal. This also calls for further research in the future.

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## Appendix: Spanish Residence Application Form (RAF)



EX-19

Solicitud de tarjeta de residencia de familiar de ciudadano de la UE (Real Decreto 240/2007)

Espacios para sellos de registro

1) DATOS DEL SOLICITANTE	
PASAPORTE .....	N.I.E. ....
1er Apellido .....	2º Apellido .....
Nombre .....	Sexo <sup>(1)</sup> H M
Fecha de nacimiento <sup>(2)</sup> .....	Lugar .....
Nacionalidad .....	País .....
Nombre del padre .....	Nombre de la madre .....
Domicilio en España .....	Nº .....
Localidad .....	C.P. .... Provincia .....
Teléfono móvil .....	E-mail .....
Representante legal, en su caso .....	DNI/NIE/PAS .....
	Título <sup>(4)</sup> .....

2) DATOS DEL CIUDADANO DE LA UNIÓN QUE DA DERECHO A LA APLICACIÓN DEL RÉGIMEN COMUNITARIO	
PASAPORTE .....	DNI/NIE .....
1er Apellido .....	2º Apellido .....
Nombre .....	Parentesco con el solicitante .....
Domicilio en España .....	Nº .....
Localidad .....	C.P. .... Provincia .....

3) DATOS DEL REPRESENTANTE A EFECTOS DE PRESENTACIÓN DE LA SOLICITUD <sup>(5)</sup>	
Nombre/Razón Social .....	DNI/NIE/PAS .....
Domicilio en España .....	Nº .....
Localidad .....	C.P. .... Provincia .....
Teléfono móvil .....	E-mail .....
Representante legal, en su caso .....	DNI/NIE/PAS .....
	Título <sup>(4)</sup> .....

4) DOMICILIO A EFECTOS DE NOTIFICACIONES	
Nombre/Razón Social .....	DNI/NIE/PAS .....
Domicilio en España .....	Nº .....
Localidad .....	C.P. .... Provincia .....
Teléfono móvil .....	E-mail .....

CONSIENTO que las comunicaciones y notificaciones se realicen por medios electrónicos <sup>(6)</sup>



Nombre y apellidos del titular.....

**5) SITUACIÓN EN ESPAÑA DEL SOLICITANTE <sup>(7)</sup>**

PERÍODO PREVISTO DE RESIDENCIA EN ESPAÑA ..... FECHA DE INICIO DE LA RESIDENCIA EN ESPAÑA <sup>(8)</sup> .....

**RESIDENCIA TEMPORAL**

- Cónyuge
- Pareja registrada
- Pareja no registrada
- Descendiente <21 años
- Descendiente >21 años a cargo o incapaz
- Ascendiente a cargo
- Otros familiares

**RESIDENCIA PERMANENTE**

- Residencia continuada en España durante 5 años
- Familiar de trabajador comunitario que ha adquirido la residencia permanente
- Viudo/a de ciudadano UE cuando éste ha residido en España durante 2 años de forma continuada
- Viudo/a de ciudadano UE que ha fallecido como consecuencia de accidente de trabajo o enfermedad profesional
- Viudo/a originariamente español que pierde la nacionalidad española como consecuencia del matrimonio con el fallecido
- Otros.....(especificar)

**MODIFICACIÓN**

- De datos personales
- De domicilio
- De Documento de Identidad/Pasaporte
- De situación: Viudo/a de ciudadano UE con residencia previa en España
- De situación: Hijo y progenitor hasta fin de estudios cuando el ciudadano UE ha salido del país o ha fallecido
- Otros.....(especificar)

**RENOVACIÓN DE TARJETA**

- Titular de residencia temporal
- Titular de residencia permanente

**BAJA POR CESE**

- Especificar la causa .....

- Las personas abajo firmantes declaran responsablemente que cuentan con un seguro de enfermedad que proporciona una cobertura en España durante su periodo de residencia equivalente a la proporcionada por el Sistema Nacional de Salud.
- Las personas abajo firmantes se hacen responsables de la veracidad de los datos consignados y de la documentación que se acompaña. Asimismo, autoriza a comprobar los datos consignados y a tal efecto, solicitar información a las Administraciones competentes.
- NO CONSIENTO la consulta sobre mis datos y documentos que se hallen en poder de la Administración (en este caso, deberán aportarse los documentos correspondientes) <sup>(8)</sup>

..... a ..... de ..... de .....



FIRMA DEL CIUDADANO DE LA UNIÓN (familiar del solicitante)

FIRMA DEL SOLICITANTE (o representante legal, en su caso)

DIRIGIDA A ..... Código DIR3..... PROVINCIA .....EX - 19

Nombre y apellidos del titular.....

**ANEXO I. Documentos sobre los que se autoriza su comprobación o consulta**

	DOCUMENTO	ÓRGANO	ADMINISTRACIÓN	FECHA DE PRESENTACIÓN
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

**ANEXO II. Documentos para los que se deniega el consentimiento para consulta**

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

## INSTRUCCIONES DE CUMPLIMENTACIÓN

RELLENAR EN MAYÚSCULAS CON BOLÍGRAFO NEGRO Y LETRA DE IMPRENTA O A MÁQUINA  
SE PRESENTARÁ ORIGINAL Y COPIA DE ESTE IMPRESO

- (1) Marque el cuadro que proceda. Hombre / Mujer
- (2) Rellenar utilizando 2 dígitos para el día, 2 para el mes y 4 para el año, en este orden (dd/mm/aaaa)
- (3) Marque el cuadro que proceda. Soltero / Casado / Viudo / Divorciado / Separado
- (4) Indique el título en base al cual se ostenta la representación, por ejemplo: Padre/Madre del menor, Administrador Único, Consejero Delegado.....
- (5) Rellenar sólo en el caso de ser persona distinta del solicitante
- (6) Conforme a la DA 4ª del RD 557/2011, están obligados a la notificación electrónica, aunque no hayan dado su consentimiento, las personas jurídicas y los colectivos de personas físicas que, por su capacidad económica o técnica, dedicación profesional u otros motivos acreditados, tengan garantizado el acceso y disponibilidad de los medios tecnológicos precisos. Si usted no está incluido en alguno de los colectivos mencionados, se le notificará por esta vía únicamente si marca la casilla de consentimiento. En ambos casos la notificación consistirá en la puesta a disposición del documento en la sede electrónica del Ministerio de Hacienda y Administraciones Públicas ( <https://sede.mpt.gob.es> ). La notificación se realizará a la persona cuyos datos se indiquen en el apartado "domicilio a efectos de notificaciones" o, en su defecto, al solicitante. Para acceder al contenido del documento **es necesario disponer de certificado electrónico** asociado al DNI/NIE que figure en el apartado "domicilio a efectos de notificaciones". Es conveniente además que rellene los campos "teléfono móvil" o "e-mail" para tener la posibilidad de enviarle un aviso (meramente informativo) cuando tenga una notificación pendiente.
- (7) Marque la opción que corresponda
- (8) Los interesados no están obligados a aportar documentos que hayan sido elaborados por cualquier Administración o que hayan sido ya aportados anteriormente en un procedimiento administrativo. A tal fin deberá enumerar en el anexo I los documentos en cuestión. Se presumirá que esta consulta es autorizada, salvo que conste su oposición expresa, debiendo cumplimentar el anexo II.

La información específica sobre trámites a realizar y documentación que debe acompañar a este impreso de solicitud para cada uno de los procedimientos contemplados en el mismo, así como la información sobre las tasas que conlleva dicha tramitación (HOJAS INFORMATIVAS), se encuentra disponible en cualquiera de las siguientes direcciones Web:

<http://extranjeros.empleo.gob.es/es/>

<http://extranjeros.empleo.gob.es/es/InformacionInteres/InformacionProcedimientos/>

Según el art. 5.1 L. O. 15/1999, se informa que los datos que suministren los interesados necesarios para resolver su petición se incorporarán a un fichero cuyos destinatarios serán los órganos de la Administración General del Estado con competencias en extranjería, siendo responsables del mismo la Dirección General de Migraciones, la Dirección General de la Policía y las Delegaciones o Subdelegaciones del Gobierno. El interesado podrá ejercitar su derecho de acceso, rectificación, cancelación y oposición ante los organismos mencionados

Los modelos oficiales podrán ser reproducidos por cualquier medio de impresión.

Estarán disponibles, además de en las Unidades encargadas de su gestión, en la página de información de Internet del Ministerio de Empleo y Seguridad Social <http://extranjeros.empleo.gob.es/es/>.

IMPRESO GRATUITO. PROHIBIDA SU VENTA

EX - 19