



EEA Applications & Non EEA Family Member Permits

By Shabana Shahab

European Community law gives EEA nationals a right to live and work in the UK. This is called a right of residence.

You have an initial right of residence in the UK for three months if you are an EEA national. You would lose this right of residence if you or your family members became an unreasonable burden on the social assistance system of the UK.

If you are an EEA national and you want to live in the UK for more than three months, you must be a 'qualified person'. A qualified person means an EEA national who is in the UK as:

- a jobseeker
- a worker
- a self-employed person
- a self-sufficient person (someone who can support themselves financially) or
- a student.

As an EEA national you do not need a visa to enter the UK

An EEA National does not require a visa to enter the UK. When you arrive at major UK ports and airports you should use the separate channel market 'EEA/EU' where it is available. Immigration Officers will check your passport or national identity card to make sure that it is valid and that it belongs to you.

Non EEA Family Member Permits

If your family members are not EEA nationals they will have the same rights as you to live and work in the UK. If you have the right to live in the UK your family members can join you. Under European Community law, your family members include the following:

- Your husband, wife or civil partner.
- Your children or the children of your husband, wife or civil partner (including adopted children). Children over 21 must be dependent on you or your husband, wife or civil partner.
- Your parents and grandparents or the parents and grandparents of your husband, wife or civil partner.

Parents and grandparents must be dependent on you or your husband, wife or civil partner.

Your extended family members, such as brothers, sisters and cousins, do not have an automatic right to live with you in the UK. However, the BIA will consider applications for your other relatives to join you if you are a qualified person in the UK and:

- they were dependent on you in the State in which you both lived before you came to the UK; or
- they were a member of your household in the State in which you lived before you came to the UK; or
- they require your personal care on serious health grounds; or
- they meet the requirements of the Immigration Rules for other dependent family members.

Unmarried partners may also be considered as extended family members. If you are a qualified person in the UK and they meet the requirements for entry by extended family members who are unmarried partners. In particular, they must be able to show that they are in a durable relationship with you.

Non - EEA family members should get an EEA family permit before they travel to the UK if they are visa nationals, or if they are coming to live with you permanently or on a long-term basis. If they try to enter the UK for this purpose without an EEA family permit they *MAY* be refused.

This information was provided by the UK Immigration Border Agency.

For further free legal advice contact Shabana on 01634 828288

Or

More information:

<http://www.statussolutionsuk.co.uk/livingintheuk/euronational.php>