

Community  
Legal Service



# COVENTRY LAW CENTRE

## IMMIGRATION

### European Economic Area

**This leaflet explains how nationals of the European Economic Area (EEA nationals) and members of their family can enter, live in and work in the United Kingdom.**

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## ***Your rights***

### ***Who is an EEA national?***

Anyone who is a national of one of the following countries is an EEA national:

Austria	Belgium	Denmark	Finland
France	Germany	Greece	Iceland
Ireland	Italy	Liechtenstein	Luxembourg
Netherlands	Norway	Portugal	Spain
Sweden			

Although the United Kingdom is also a member of the EEA, in general the information on this leaflet is not relevant to British citizens and their family.

### ***Do EEA nationals have a right to live in the United Kingdom?***

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

You have a right of residence in the United Kingdom if you are an EEA national and:

- You are working in the United Kingdom; or
- You do not work in the United Kingdom but you have enough money to support yourself throughout your stay without help from public funds.

Public funds include Income Support, Housing Benefit and Council Tax Benefit.

### ***Do you need to show your passport or national identity card when you enter the United Kingdom?***

Yes, you need to show your passport or national identity card when you enter the United Kingdom.

### ***What rights do you have if you want to work in the United Kingdom?***

You can:

- Accept offers of work;
- Work (whether as an employee, in self-employment or in business);
- Set up a business;
- Manage a company; or
- Set up a local branch of a company.

You do not need a work permit.

You should not be discriminated against because of your nationality in terms of conditions of employment, pay or working conditions.

### ***Can you live in the United Kingdom if you are not working?***

You can live in the United Kingdom as a student, as a retired person or if you are not working, as long as you have enough money to support yourself throughout your stay without needing help from public funds.

### ***Can you work in the United Kingdom if you are studying?***

Yes, you can work in the United Kingdom during or after finishing your studies.

### ***Do you need to apply for a residence permit or register with the police?***

No, if you have a right to live in the United Kingdom, you can stay here for as long as you want without getting a residence permit or registering with the police.

But, if you want, you can apply to Immigration & Nationality Directorate for a residence permit. A residence permit simply confirms that you have a right to live in the United Kingdom under European Community law.

### ***How to apply for a residence permit?***

You can apply to the Home Office using a EEC1 form.

### ***How long are residence permits valid for?***

A residence permit is normally valid for five years. However, residence permits may be issued for a shorter period if you are working or studying in the United Kingdom for less than 12 months.

The Home Office will not normally give you a residence permit if:

- You are in the United Kingdom for a short visit;
- You are looking for work;
- You will work and live in the United Kingdom for less than three months; or
- You do not work in the United Kingdom and cannot support yourself without help from public funds.

### ***Your family's rights***

If your family are EEA nationals, they have the same rights to live and work in the United Kingdom as you. The information in this section will be most relevant to members of your family who are not EEA nationals (non-EEA family members).

### ***Can your family join you in the United Kingdom?***

Yes, if you have a right to live in the United Kingdom, your family may join you.

Under European Community law, your family includes:

- Your husband or wife;
- Your, or your husband's or wife's, children or grandchildren (if they are under 21 or, if they are over 21 and dependent on you); and
- Dependent relatives, for example, your husband's or wife's parents and grandparents.

If you are a student, only your husband or wife and your dependent children can join you.

### ***What about your other relatives?***

Your other relatives (such as brothers, sisters, cousins and so on) do not have an automatic right to live in the United Kingdom with you.

Other relatives could apply to join you in the UK if:

- They are your dependant; or
- They were living with you before you came to the United Kingdom.

### ***How can your family come to live with you in the United Kingdom?***

Non-EEA family members must get a EEA family permit before they travel to the United Kingdom if they are coming to live with you permanently or on a long-term basis. If they try to enter the United Kingdom without an EEA family permit, they may be refused entry.

### ***Does your family need to get an EEA family permit if they are coming to visit you in the United Kingdom?***

Yes, they will need to get an EEA family permit if they normally need a visa to travel to the United Kingdom.

Members of your family who are not visa nationals do not need to get an EEA family permit to visit you as long as they will be staying in the UK for less than 6 months.

### ***What is a EEA family permit?***

An EEA family permit is a form of entry clearance (like a visa) that you are given, free of charge, so members of your family who are not EEA nationals can travel to the United Kingdom.

You must apply for an EEA family permit in the country in which your non-EEA family member is living, to the nearest British Embassy, High Commission or other British Diplomatic Post that can issue entry clearance.

Your non-EEA family members should apply for EEA family permits well before the date they want to travel to the United Kingdom.

### ***Will your non-EEA family members need to do anything when they arrive in the United Kingdom?***

Non-EEA family members do not need to register with the police.

Your non-EEA family members can, if they want to, apply to the Immigration & Nationality Directorate for a residence document. A residence document simply confirms that they have a right to live with you in the United Kingdom because you have a right of residence. Your family's residence permit will be valid for the same period as your residence permit.

Non-EEA family members who have a valid residence document do not need to get an EEA family permit each time they enter the United Kingdom after travelling abroad.

### ***How can your family member apply for a residence document?***

You, or your family member, should apply to the Immigration & Nationality Directorate in Croydon.

You will need to submit the following documents:

- Your passport or national identity card;
- Your residence permit (you will need to apply for one if you do not already have one);
- Proof that you still have a right to live in the United Kingdom;
- Your family member's passport; and
- Proof of the relationship between you and your family member (if your husband or wife is applying, the Immigration & Nationality Directorate will need to see proof that you are legally married, for example, your marriage certificate).

All documents should be originals.

### ***Can the Home Office refuse to give your family an EEA family permit or residence document?***

The Home Office will not give your family an EEA family permit or residence document if you do not have a right to live in the United Kingdom.

### ***Can your family work in the United Kingdom?***

Yes, your family can work in the United Kingdom. They do not need a work permit.

### ***Could your family lose their right to stay in the United Kingdom?***

Your family could lose their right to stay in the United Kingdom if you:

- No longer have a right to live in the United Kingdom;
- Leave the United Kingdom permanently; or
- Are not working in the United Kingdom and either you or your family need help from public funds.

Your husband or wife may lose the right to stay in the United Kingdom if you divorce.

### **Other information**

#### ***To get a residence permit, residence document or EEA family permit?***

Residence permits, residence documents or EEA family permits are issued free of charge.

#### ***How can you apply for permission to stay in the United Kingdom indefinitely?***

Permission to stay here indefinitely means that you may live in the United Kingdom legally, with no time limit or conditions on your stay, under the United Kingdom Immigration Rules. It is not a right under European law unless you have retired from working or have stopped work permanently because of ill health.

You may apply for permission to stay here indefinitely if you:

- Have a residence permit for five years;
- Still have a right to live in the United Kingdom; and
- Have been working in the United Kingdom, or have been supporting yourself financially, for at least four years, and are still doing this.

Please note that you will not normally be given permission to stay here indefinitely if you are a student.

Different conditions for permission to stay here indefinitely apply if you have recently retired from working or have recently stopped work permanently because of ill health.

Your family (including those who are students) may also apply for permission to stay here indefinitely if they have residence documents as your family and you meet the requirements listed above.

### **How to get more information**

You can get more information from Coventry Law Centre.

Coventry Law Centre offers free legal advice and representation.