



Border & Immigration Agency

EEA3

PERMANENT RESIDENCE

Version 05/2007

Application for permanent residence in the UK by:

European Economic Area (EEA) nationals and their EEA or Swiss national family members residing in the UK

Swiss nationals and their Swiss or EEA national family members residing in the UK

THE ADDRESS TO WHICH YOU MUST POST YOUR APPLICATION ON FORM EEA3 IS:

Border and Immigration Agency
European Applications EEA3
Lunar House
40 Wellesley Road
Croydon
CR9 2BY

For information about the other EEA forms, see page 3. If you need help in completing this form telephone 0870 606 7766

This form is to be used for applications made on or after 1 May 2007

BUILDING A SAFE, JUST AND TOLERANT SOCIETY

1 For which applications should you use Form EEA3?

To apply for a document certifying permanent residence if you are an EEA national exercising Treaty rights in the UK. See part 6 of these notes for information about Treaty rights. You may include your family members in the application if they are EEA or Swiss nationals.

To apply for a document certifying permanent residence if you are a Swiss national residing in the UK. You may include your family members in the application if they are Swiss or EEA nationals.

Although Switzerland is not a Member State of the EEA the Agreement between the European Community, its Member States and the Swiss Confederation on the free movement of persons gives similar rights of residence to Swiss nationals and their family members.

To acquire the right to reside permanently in the UK, you need to have resided here in accordance with the relevant EEA Regulations for a continuous period of 5 years.

The relevant legislation for applications on this form is The Immigration (European Economic Area) Regulations 2006. You can consult it on our website at www.bia.homeoffice.gov.uk or obtain a copy from HMSO.

2 Making your application

If you follow the guidance below, it will help us to process your application without unnecessary delay.

The application form. Make sure you use the correct form for the purpose for which you are applying (details of the other EEA forms are given in part 7 of these notes). Complete the relevant sections of the form as required, and answer all the questions that apply to you and any family members included in the application. Use block capitals and black ink when completing the form. Sign and date the declaration at section 6.

Documents. Provide all relevant documents, including passport(s)/ID card(s) as appropriate. All documents should be originals. If you can't provide an original document when applying, please explain why and say when you will provide it. If you provide a certified copy, it should be a copy certified by the body or authority which issued the original document (for example, a copy of a savings passbook certified by the bank) or by a notary. To resolve your application, we need to see the originals of passport(s) or ID card(s) as appropriate, and if needed to prove a family member relationship, marriage or civil partnership certificates and birth certificates. If you cannot provide original documents, it is unlikely that we will grant your application.

Photographs. Provide 2 identical photographs of yourself and any family members included in the application. These should be taken against a light background, be clear and of good quality and must be full face. They must not show you or any family members wearing sunglasses or any head covering unless this has to be worn for religious or cultural reasons. Photographs where the covering conceals the face will not be acceptable. The photographs you provide will be reproduced in the document(s) certifying permanent residence if the application(s) is/are successful. You should therefore ensure that you are content for the photographs to be used for this purpose. **All photographs should have the name written on the back.**

How to apply. Applications on this form have to be made by post. **They cannot be made in person at any of our Public Enquiry Offices,** as we do not offer this service for applications made on Form EEA3.

3 Posting your application

Post your completed application form with supporting documents and photographs to the address below:

**Border and Immigration Agency
European Applications EEA3
Lunar House
40 Wellesley Road
Croydon
CR9 2BY**

Posting your application to any other address will delay it. To help us record the receipt of your application, we recommend the use of Recorded or Special Delivery and that you keep the RD or SD number.

We return all documents by Recorded Delivery. If you want your passport and other documents returned by Special Delivery, you will need to provide a suitably sized Special Delivery envelope with the correct pre-paid postage.

4 Decision times

We aim to decide applications as soon as possible. For service standards for deciding non-charged postal applications, please see our website at www.bia.homeoffice.gov.uk

5 Contacting us after applying

If you need to provide more information about your application after posting it to us, please send it to the address in part 3 of these notes and give the following details in your letter:

- the applicant's full name, date of birth and nationality;
- any Recorded or Special Delivery number if you have one
- the date on which the application was posted; and
- the Home Office reference if you have one.

We advise you not to make any non-urgent travel plans until your application has been decided and your passport and other documents are returned to you. If you need any of your documents urgently for travel or other reasons, please call **0870 606 7766** and give the details listed immediately above.

6 Your right to reside in the UK

EEA nationals have a right to reside in the UK if they are exercising a Treaty right in one of the following categories:

- **Worker:** a person who is pursuing an effective and genuine activity for remuneration as an employed person;
- **Self-employed**
- **Student**
- **Economically self-sufficient**
- **Retired:** a person who has been economically active; or
- **Incapacitated:** a person who is permanently incapacitated and unable to pursue employment, having been economically active.

The following nationals may exercise Treaty Rights in the United Kingdom:

| | |
|----------------|---|
| Austria | Belgium |
| Bulgaria** | Cyprus* |
| Czech Republic | Denmark |
| Estonia | Finland |
| France | Germany |
| Greece | Hungary |
| Iceland | Irish Republic |
| Italy | Latvia |
| Liechtenstein | Lithuania |
| Luxembourg | Malta |
| Netherlands | Norway |
| Poland | Portugal |
| Romania** | Slovakia |
| Slovenia | Spain |
| Sweden | Switzerland (but see part 1 of these notes) |

*A document issued by the Turkish Republic of Northern Cyprus does not establish that the person is an EEA national. Only a document issued by the Republic of Cyprus stating that the holder is a national of the Republic of Cyprus establishes that the person is an EEA national and accordingly entitled to free movement within the EU.

**The nationals of Bulgaria and Romania joined the European Union on 1 January 2007. Further guidance and downloadable versions of all Bulgarian and Romanian application forms are available at the all forms section at www.workingintheuk.gov.uk

7 Obtaining another form

You can obtain another form from the Application Forms Unit on **0870 241 0645** or by downloading it from our website at www.bia.homeoffice.gov.uk

The other EEA forms are as follows:

EEA1 for registration certificate applications by EEA national and their EEA national or Swiss national family members and by Swiss national and their Swiss or EEA national family members

EEA 2 for residence card applications by non-EEA national or non-Swiss national family members of an EEA national or Swiss national

EEA 4 for permanent residence applications by non-EEA national or non-Swiss national family members of an EEA national or Swiss national.

8 Other telephone enquiries

For enquiries other than obtaining an application form call **0870 606 7766**.

We have a freephone textphone service on **0800 38 98 28 9**.

9 Choosing an immigration adviser

If you engage an immigration adviser, you should take care when choosing one. The Office of the Immigration Services Commissioner (OISC) regulates immigration advisers. Their website at www.oisc.gov.uk contains a list of authorised advisers. It also has links to websites for solicitors, barristers and legal executives. If you have a complaint about an immigration adviser or need other information, the OISC contact details are:

Office of the Immigration Services Commissioner
5th Floor
Counting House
53 Tooley Street
London
SE1 2QN

Telephone: **0845 000 0046**

Alternatively the Law Society, which regulates solicitors in England and Wales, can help you find a solicitor. You can contact them on **0870 606 6575** or visit their website at www.lawsociety.org.uk

If you have a complaint about a solicitor you can contact the Law Society's Consumer Complaints Service helpline on **0845 608 6565** or write to them at:

The Law Society
Victoria Court
8 Dorner Place
Leamington Spa
Warwickshire
CV32 5AE

10 Complaints about our service

If you want advice on how to make a complaint about our service please telephone **0870 241 6523** or visit our website.

You may complain in writing to:

BIA Customer Focus Team
PO Box 1384
Croydon
CR9 3YJ

Or by email to: bia.cu@homeoffice.gsi.gov.uk

11 Data protection notice

All information provided by you will be treated in confidence but it may be disclosed to other government departments, agencies, local authorities, the police, foreign governments and other bodies for immigration purposes or to enable them to perform their functions. We may also use the information provided by you for training purposes.



Border & Immigration Agency

EEA3 PERMANENT RESIDENCE

SECTION 1 Your details

Your personal details should be entered at **1.1** to **1.8**. Where family members are included in the application, and they are also EEA or Swiss nationals, their personal details should be entered at section **2.1**

Is a representative assisting you with your application?

Yes No

If **yes** please insert their OISC Registration Number if they have one.

Attach applicant's photographs here

1.1 Title (Mr, Mrs, Ms, Miss, Other) _____

Full name as shown on ID card or passport _____

Surname _____

Maiden name or any other names by which you have been known _____

1.2 Nationality _____

1.3 Date of birth

| | | |
|-----|-------|------|
| Day | Month | Year |
| | | |

 Gender M F

1.4 Home Office reference number if known _____

1.5 Passport number or ID card number _____

1.6 Date on which you last entered the UK

| | | |
|-----|-------|------|
| Day | Month | Year |
| | | |

1.7 UK address. Please let us know immediately if this changes

Post code _____

1.8 Daytime telephone number _____

1.9 The address to which you would like us to return your documents and send any letters about your application, if different from that at **1.7**

Post code _____

Version 05/2007

Application for permanent residence in the UK by:

European Economic Area (EEA) nationals and their EEA or Swiss national family members residing in the UK

Swiss nationals and their Swiss or EEA national family members residing in the UK

This form is to be used for applications made on or after 1 May 2007

Please give details of your EEA or Swiss national family members below. Non-EEA or non-Swiss national family members wishing to apply for permanent residence should complete Form EEA4.

2.1 Do you have any EEA or Swiss national family members living with you in the UK?

Yes No

If you have answered **yes** to question **2.1**, and they are applying for permanent residence, please give their details below. If you need more space continue on a separate sheet and provide it with your application.

If parents' details are not shown in the child's passport or ID card, documentary evidence of relationship to EEA or Swiss family member should be provided ie full birth certificate.

If the relationship is other than a parent/child eg brother or cousin, please provide appropriate evidence to confirm the relationship ie full birth, marriage or civil partnership certificate showing the relationship.

Family member's full name _____

Nationality _____

Date of birth

| | | |
|-----|-------|------|
| Day | Month | Year |
| | | |
| | | |

 Gender M F

Relationship to you _____

Home Office reference (if known) _____

Attach family member's photographs here

Family member's full name _____

Nationality _____

Date of birth

| | | |
|-----|-------|------|
| Day | Month | Year |
| | | |
| | | |

 Gender M F

Relationship to you _____

Home Office reference (if known) _____

Attach family member's photographs here

Family member's full name _____

Nationality _____

Date of birth

| | | |
|-----|-------|------|
| Day | Month | Year |
| | | |
| | | |

 Gender M F

Relationship to you _____

Home Office reference (if known) _____

Attach family member's photographs here

SECTION 3 Evidence of the exercise of Treaty rights for 5 years

To qualify for permanent residence you need to have exercised a Treaty right in the UK for 5 years through employment, self-employment, study, economic self sufficiency, retirement or permanent incapacity (provide details below and continue on a separate sheet if necessary). If you have been supported by the employment or funds of a family member you may still qualify.

If you were exercising rights in ways other than employment, self-employment or study, please state the category (eg economic self-sufficiency) in the space(s) for employer/school/college addresses for the year(s) concerned.

Year 1

Dates (MM/YY)

From _____

To _____

Name and address of employer or school/college or details of the exercise of Treaty rights in other ways

Self Employed: Indicate type of business

Employed: Indicate job title

Year 2

Dates (MM/YY)

From _____

To _____

Name and address of employer or school/college or details of the exercise of Treaty rights in other ways

Self Employed: Indicate type of business

Employed: Indicate job title

Year 3

Dates (MM/YY)

From _____

To _____

Name and address of employer or school/college or details of the exercise of Treaty rights in other ways

Self Employed: Indicate type of business

Employed: Indicate job title

Year 4

Dates (MM/YY)

From _____

To _____

Name and address of employer or school/college or details of the exercise of Treaty rights in other ways

Self Employed: Indicate type of business

Employed: Indicate job title

Year 5

Dates (MM/YY)

From _____

To _____

Name and address of employer or school/college or details of the exercise of Treaty rights in other ways

Self Employed: Indicate type of business

Employed: Indicate job title

We require documentary evidence of the exercise of Treaty rights over a 5 year period. Please see what documents you are required to provide in section 5.

SECTION 4 - PERSONAL HISTORY

You must answer all the questions in this section on behalf of yourself and any family members included in this application. It is an offence under Section 26(1)(c) of the Immigration Act 1971 to make a statement or representation which you know to be false or do not believe to be true. Information given will be checked with other agencies.

4.1 Do you or any family members included in this application have any criminal convictions in the UK or any other country (including traffic offences) or any civil judgments made against you? Yes No

*If you have answered **yes** to question 4.1 above please give details below for each criminal conviction and/or civil judgment, starting with the most recent one - but first see **Note 1** about criminal convictions. If you or any family members included in this application have received more than two convictions and/or civil judgments, give details on a copy of this page and enclose it with this form.*

Note 1 Convictions spent under the Rehabilitation of Offenders Act 1974 need not be disclosed. More information about the Act is given towards the end of this section.

Name of person convicted or against whom a civil judgment was made

| | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
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| | | | | | | | | | | | | | | | | | | | |

Nature of the criminal offence or the civil action (give details on a separate sheet and enclose it with this form if you need more space)

Details of the sentence or civil judgment (give details on a separate sheet and enclose it with this form if you need more space)

Date of sentence/judgment

Country where the sentence was passed or the civil judgment was made

| | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
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|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

Name of person convicted or against whom a civil judgment was made

| | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
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Nature of the criminal offence or civil action (give details on a separate sheet and enclose it with this form if you need more space)

Details of the sentence or civil judgment (give details on a separate sheet and enclose it with this form if you need more space)

Date of sentence/judgment

Country where the sentence was passed or the civil judgment was made

| | | | | | | | | | | | | | | | | | | | |
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For help in answering the questions below, please see the definitions on the next page.

4.2 Have you or any family members included in this application ever been charged in any country with a criminal offence for which you have not yet been tried in court? Yes No

4.3 In times of either peace or war have you or any family members included in this application ever been involved, or suspected of involvement, in war crimes, crimes against humanity or genocide? Yes No

4.4 Have you or any family members included in this application ever been involved in, supported or encouraged terrorist activities in any country? Yes No

4.5 Have you or any family members included in this application ever been a member of, or given support to, an organisation which has been concerned in terrorism? Yes No

4.6 Have you or any family members included in this application ever, by any means or medium, expressed views that justify or glorify terrorist violence or that may encourage others to terrorist acts or other serious criminal acts? Yes No

SECTION 4 - PERSONAL HISTORY(continued)

4.7

Have you or any family members included in this application ever engaged in any other activities which might indicate that you may not be considered to be persons of good character? Yes No

If you have answered **yes** to question **4.2, 4.3, 4.4, 4.5, 4.6** or **4.7** above please give further details in the space provided below. If you need more space, continue on a separate sheet.

REHABILITATION OF OFFENDERS ACT 1974

The Rehabilitation of Offenders Act 1974 enables criminal convictions to become 'spent' or ignored after a 'rehabilitation period'. The length of the rehabilitation period depends on the sentence given. For a custodial (prison) sentence the rehabilitation period is decided by the original sentence, not the time served. Prison sentences of more than two and a half years can never become spent and should always be disclosed. Further information on rehabilitation periods can be found at Nacro's Resettlement Plus Helpline on **020 7840 6464** or by obtaining a free copy of their leaflet on **020 7840 6427**.

DEFINITIONS

For the purposes of answering questions **4.3** to **4.7**, the following information provides guidance on actions which may constitute war crimes, crimes against humanity, genocide, or terrorist activities.

This guidance is not exhaustive. The full definitions of war crimes, crimes against humanity and genocide can be found in Schedule 8 of the International Criminal Court Act 2001 at www.opsi.gov.uk/acts/acts2001/20010017.htm or purchased from The Stationery Office (telephone **0870 600 5522**). It is your responsibility to satisfy yourself that you are familiar with the definitions and can answer the questions accurately on behalf of yourself and any family members included in the application.

War crimes

Grave breaches of the Geneva Conventions committed during an armed conflict. This includes an internal armed conflict and an international armed conflict. The types of acts that may constitute a war crime include wilful killing, torture, extensive destruction of property not justified by military necessity, unlawful deportation, the intentional targeting of civilians and the taking of hostages.

Crimes against humanity

Acts committed at any time (not just during armed conflict) as part of a widespread or systematic attack, directed against any civilian population with knowledge of the attack. This would include offences such as murder, torture, rape, severe deprivation of liberty in violation of fundamental rules of international law and enforced disappearance of persons.

Genocide

Acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

Terrorist activities

Any act committed, or the threat of action, designed to influence a government or intimidate the public and made for the purposes of advancing a political, religious or ideological cause and that involves serious violence against a person; that may endanger another person's life; creates a serious risk to the health or safety of the public; involves serious damage to property; is designed to seriously disrupt or interfere with an electronic system.

Organisations concerned in terrorism

An organisation is concerned in terrorism if it commits or participates in acts of terrorism; prepares for terrorism; promotes or encourages terrorism (including the unlawful glorification of terrorism); or is otherwise concerned in terrorism.

The documents and photographs needed in support of an application on Form EEA3 are listed below. You should provide those which are relevant to you and any family members included in the application.

Please tick the boxes next to the relevant items to show the documents and photographs you are providing.

You should attach all photographs to sections 1 and 2 of the form in the spaces provided. Please see part 2 of the guidance notes for information about photographs.

Two recent passport-size photographs of yourself with your name written on the back of each photograph attached.

Two recent passport-size photographs of each family member for whom permanent residence is required with their name written on the back of the photographs attached.

Your current passport or ID card.

Current passport(s) or ID cards for each family member for whom permanent residence is required.

As evidence of the exercise of Treaty rights in the United Kingdom, both currently and over the past 5 years, please provide the following documents:

For time spent in employment, a letter(s) from your employer(s) confirming your employment, P60s and most recent wage slips.

For time spent in self-employment, an accountant's letter, Inland Revenue self - assessment forms, invoices/receipts, payment of tax and National Insurance contributions, lease on business premises, Construction Industry Scheme (CIS) card.

For time spent as a student, a letter from school(s)/college(s)/university(ies) confirming details of course(s), and evidence of funds eg bank statements or similar documentary evidence.

For time spent as an economically self-sufficient person, evidence of funds available to you eg a bank statement or similar documentary evidence or evidence of the employment of, or funds available to, a family member.

For time spent as a retired person, evidence of the receipt of a pension.

For time spent permanently incapacitated, doctor's letter or medical report confirming permanent incapacity, having previously been in employment or self-employment.

Please now read and sign the declaration.

It should be signed by you (the applicant) and not by a representative or other person acting on your behalf. If you are under 18, your parent or guardian may sign.

I hereby apply for permanent residence for myself and any EEA or Swiss national family members listed in this form. The information I have given in this form is complete and is true to the best of my knowledge. I also declare that the photographs submitted with this form are a true likeness of myself and any family members included in the application, as named on the back of each photograph.

I confirm that if, before this application is decided, there is a material change in my circumstances or new information relevant to this application becomes available, I will inform the Home Office.

I understand that all information provided by me to the Home Office will be treated in confidence but that it may be disclosed to other government departments, agencies, local authorities, the police, foreign governments and other bodies for immigration purposes or to enable them to perform their functions.

I understand that the Home Office may also use the information provided by me for training purposes.

I am aware that it is an offence to make a statement or representation which I know to be false or do not believe to be true, or to obtain or seek to obtain permanent residence by means which include deception.

Signed _____

Date _____

DOCUMENT CHECKLIST

Please complete this part of the form. It will help us to make sure that we have received the documents you supplied and to keep a record of them while they are in our possession.

You may not have to provide all the documents listed here.

Please state how many of the following you have provided:

Photographs with the name on the back of each

Passport(s)

National ID Card(s)

Birth certificate(s)

Marriage certificate(s)

Civil partnership certificate(s)

Driving licence(s)

Other (please list in the space opposite)

FOR OFFICIAL USE ONLY

Photographs with the name on the back of each

Passport(s)

National ID Card(s)

Birth certificate(s)

Marriage certificate(s)

Civil partnership certificate(s)

Driving licence(s)

Other as listed above

Signature _____

Date _____

APPLICANT'S CHECKLIST

Please make the following checks before posting your application.

Are you sure that Form EEA3 is the right form for you?

Have you completed all the applicable sections of the form as specified?

Have you sent us the following documents and photographs specified in section 5?

- current passport(s) or ID card(s), including those of any family member(s) included in the application.
- photographs, including those of any family member(s) included in the application, with the name written on the back.
- other documentary evidence relevant to your particular application.

If you are unable to send us any of the documents or photographs specified in section 5, have you given an explanation and said when you will be able to send them?

Have you signed and dated the declaration in section 6 of the form?

Finally, please make sure that the application is addressed exactly as shown below:

**Border and Immigration Agency
European Applications EEA3
Lunar House
40 Wellesley Road
Croydon
CR9 2BY**