



**APPLICATION FOR A
RESIDENCE CARD IN THE UK
BY
NON-EUROPEAN ECONOMIC AREA
(NON-EEA) NATIONAL FAMILY MEMBERS
OF EEA NATIONALS RESIDING IN THE UK
OR BY
NON-SWISS OR NON-EEA NATIONAL
FAMILY MEMBERS OF SWISS NATIONALS
RESIDING IN THE UK**

Please read the guidance notes at the front of this form before making your application.

Our application forms change periodically. If you obtain this form some time before applying, please check that it is still the version which must be used when you are ready to apply.

There is no fee for an application on this form.

For information about other EEA forms, see page 4.

If you need help in completing this form telephone 0845 010 5200.

Applications on this form may only be made by post.

You must send your application to the following address:

**UK Border Agency
European Applications EEA2
PO Box 306
Dept 45
Liverpool
L2 0QN**

FORM EEA2: GUIDANCE NOTES

1 FOR WHICH APPLICATIONS SHOULD YOU USE FORM EEA2?

To apply for a residence card as confirmation of a right to reside as a non-EEA national family member of an EEA national who is exercising Treaty rights in the UK or for permanent residence in this capacity. See part 14 of these notes for information about Treaty rights.

You may include your family members in the application if they are also non-EEA nationals.

A non-EEA national is a national of a country which is not part of the European Economic Area.

To apply for a residence card as confirmation of a right to reside as a non-Swiss or non-EEA national family member of a Swiss national residing in the UK or for permanent residence in this capacity.

You may include your family members in the application if they are also non-Swiss or non-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 the family members of Swiss nationals who are not themselves either Swiss or EEA nationals.

You and any family members included in the application must be in the UK to apply.

2 RELEVANT UK LEGISLATION

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.ukba.homeoffice.gov.uk or obtain a copy from HMSO.

3 WHO CAN APPLY ON THIS FORM?

Only non-EEA or non-Swiss family members of EEA or Swiss nationals residing in the UK.

4 WHEN TO APPLY

You may apply at any time during your lawful stay in the UK. If you apply when you are here unlawfully, that will be taken into consideration in deciding your application.

5 MAKING SURE YOUR APPLICATION IS COMPLETE

Your application will be delayed if it is incomplete. To avoid that, you must:

make it on the current version of EEA2

provide all the photographs of yourself and any family members included in the application as specified in the form

provide all documents specified in the form

complete all sections of the form as required

sign and date the declaration in the form.

6 COMPLETING THE FORM

Please note the following guidance and information when you complete the form.

Use a black pen to complete the form - and capital letters for names, addresses and similar details.

Complete all sections as required, including the Personal History section.

Section 1 This is where you give your own details. Leave a space between each name and part of the address(es) required in this section (do the same where names and addresses are required in other sections).

Sections 1 and 2 It's essential that you provide the photographs of yourself and your family members included in the application. Please use a paper clip in each person's case to attach the photographs to the spaces provided. Do not use staples, glue or any other sticky adhesive. See part 7 below for more guidance on photographs.

If there is any difference between the personal details given in these sections and those contained in your and/or your family member(s) passports or identity cards, we will always use those given in the passport(s) or identity card(s).

All sections If you are at present unable to provide any of the information or details requested in any of the relevant sections, please explain the reasons in a letter and enclose it with the application form. If you need help with any of the questions, you can seek advice by telephoning **0845 010 5200**.

Section 9 This section lists the documents and photographs which you have to provide. If you can't provide any of the documents specified in the application form, please explain why in a letter with the form and say when you will be able to provide them. See part 8 below for more guidance on documents.

Ensure that your passport or identity card and those of any family members included in the application are signed as required.

Section 10 You must sign and date the declaration. If you don't, it will delay your application.

7 PHOTOGRAPHS

You must provide the following photographs:

Two identical colour passport-size photographs of yourself with your name written on the back of each one.

Two identical colour passport-size photographs of any family members included in the application with their names written on the back of each one.

The photographs should be in colour, recent (within the last month), and approximately 45 millimetres high and 35 millimetres wide, the size of a passport photo.

Each photograph must show the individual's full face clearly against a light background. Sunglasses are not acceptable. Nor is any head covering unless this has to be worn for religious or cultural reasons. But if the covering conceals the face, this will not be acceptable.

FORM EEA2 - GUIDANCE NOTES

Use one staple or paper clip in each person's case to attach the photographs to the spaces provided. When stapling, do so at the edge of the photograph so as not to damage the image of the face. **Do not use, glue or any other sticky adhesive to attach them.**

If the application(s) is/are successful, the photograph(s) provided will be reproduced in your and your family members' residence card(s).

8 DOCUMENTS

The documents provided with the application must be originals.

Copies of any kind are not acceptable unless there are valid reasons for not being able to provide the original document. In such circumstances, we may accept a copy certified by the body or authority which issued the original (for example, a copy of a savings book certified by the building society or bank), or by a notary.

The reasons for not being able to provide the original document must be explained in a covering letter. As a rule, we are unlikely to be able to grant your application without the original document.

Any documents which are not in English must be accompanied by a reliable English translation.

Make sure passports or identity cards are signed.

9 APPLYING BY POST - THE ADDRESS

The address to which you must post an application on form EEA2 is:

**UK Border Agency
European Applications EEA2
PO Box 306
Dept 45
Liverpool
L2 0QN**

Posting it to any other address will delay it.

Please also use this address for any other correspondence about your application. 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 EEA2.**

If you use Recorded or Special Delivery, this will help us to record the receipt of your application. Please make sure that you keep the Recorded or Special Delivery number.

We will return your passport(s) and other documents by Recorded Delivery. If you would like them to be returned by Special Delivery, you must provide a prepaid Special Delivery envelope which is large enough.

10 DECISION TIMES

We aim to decide applications as soon as possible. For information on the current processing times for residence card applications or for permanent residence on form EEA 2, see the "EEA/EU nationals" page on our website.

11 CONTACTING US AFTER YOU HAVE APPLIED

If you need to contact us after you have applied please do so as instructed below.

To send us more information about your application, write to the address in part 9 and give the following details in your letter:

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

If you need your passport because you have to travel urgently and unexpectedly, call **0845 010 5200** and provide the personal and other details listed immediately above.

12 OBTAINING ANOTHER FORM

You can obtain application forms via the UKBA website at www.ukba.homeoffice.gov.uk

13 OTHER TELEPHONE ENQUIRIES

For enquiries other than obtaining an application form call **0845 010 5200**.

14 YOUR RIGHT TO RESIDE IN THE UK

The non-EEA family members of an EEA national have a right to reside in the UK if their EEA national family member is 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) |

FORM EEA2 - GUIDANCE 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. Guidance and application forms for Bulgarian and Romanian nationals are to be found at www.workingintheuk.gov.uk

15 FAMILY MEMBERS FROM THE ACCESSION STATES (this part applies only to applications for a residence card)

If your family member (spouse) is a national of one of the 8 relevant Accession States i.e the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia or Slovenia (Cyprus and Malta are exempt), and you are not yourself an EEA national, you will not be eligible for a residence card unless your family member has completed 12 months' continuous lawful employment in the United Kingdom and is eligible for a registration certificate.

However, if they are registered under the Worker Registration Scheme, you can apply for a family member residence stamp on form FMRS, available on our website, and send it to the address given on that form.

16 OTHER EEA FORMS

The other EEA forms are as follows:

EEA 1 for registration certificate applications by EEA nationals and their EEA national or Swiss national family members and by Swiss national and their Swiss or EEA national family members

EEA3 for permanent residence applications by EEA nationals and their EEA or Swiss national family members and by Swiss nationals and their Swiss or EEA national family members

EEA4 for permanent residence applications by non-EEA national or non-Swiss national family members of an EEA national or Swiss national

FMRS for residence stamp applications by non-EEA national family members of persons required to register under the Worker Registration Scheme.

17 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 Solicitors Regulation Authority, which regulates solicitors in England and Wales, can help you find a solicitor if you contact them on **0870 606 2555** or visit their website at www.sra.org.uk

The address and telephone number for any complaints about a solicitor are:

Legal Complaints Service
Victoria Court
8 Dormer Place
Leamington Spa
Warwickshire
CV32 5AE

Telephone: **0845 608 6565**

18 COMPLAINTS ABOUT OUR SERVICE

If you wish to make a complaint about our service, please refer to the complaints page on our website for detailed information about how to do so.

If you are unable to access the website or if you need further advice after reading the information on the complaints page, please telephone our contact centre on **0845 010 5200**.

19 DATA PROTECTION NOTICE

We will treat all information provided by you in confidence but may disclose it 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.

SECTION 8 - 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.

8.1 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 8.1 above please give details below for each criminal conviction and/or civil judgment, starting with the most recent one - but first see **Note 2** 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 2 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

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

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

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

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

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

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

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

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

8.2 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

8.3 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

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

8.5 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

8.6 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 8 - PERSONAL HISTORY

8.7 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 **8.2, 8.3, 8.4, 8.5, 8.6** or **8.7** 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 **8.3** to **8.7**, 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.

SECTION 9 - DOCUMENTS AND PHOTOGRAPHS

For your application to be complete, you must provide the documents and photographs listed in this section which are relevant to your application.

Any documents which are not in English must be accompanied by a reliable English translation.

Tick the boxes next to the relevant items to show the documents and photographs you are providing. Attach all photographs to the spaces in sections 1 and 2 as instructed there.

Two recent, colour passport-size photographs of yourself with your name written on the back of each photograph. Please see the guidance notes for information on what types of photograph are acceptable.

Two recent, colour passport-size photographs of each family member included in section 2 for whom a residence card is required with their name written on the back of each photograph.

Your current passport or ID card. If you do not have a passport or ID card, you must provide another form of identity.

The current passport(s) or ID card(s) of each family member included in section 2 for whom a residence card is required. If they do not have a passport or ID card, you must provide another form of identity for them.

Your EEA or Swiss family member's passport or ID card.

If section 4 (employment) has been completed, evidence of your EEA or Swiss family member's employment (or your employment) as a worker, including letter(s) from employer(s); contract(s) of employment, and the most recent wage slips (at least one should be provided). These should feature a full national insurance number rather than a temporary one.

If section 5 (self - employment) has been completed, documents as evidence of your EEA or Swiss family member's self-employment (or your self-employment), such as Construction Industry Scheme (CIS) card, a lease on business premises, bank statements, invoices, Inland Revenue self-assessment forms or national insurance contributions.

If section 6 (student) has been completed, a school, college or university letter confirming that your EEA or Swiss family member is enrolled on a course of study and giving the completion date. If your family member is in receipt of a grant or scholarship, provide evidence of this. If they are not, other evidence of funds such as a bank statement should be provided.

A school letter for dependent family members who are attending school (see **Note 3**).

Note 3: If dependent children are not at school please provide an NHS card to confirm residence.

If section 7 (economically self sufficient, retired or incapacitated) has been completed, document(s) confirming that your EEA or Swiss family member is:

economically self-sufficient, eg evidence of comprehensive sickness insurance and of funds, such as a bank statement, or evidence of employment. If you are the worker and are supporting your EEA or Swiss family member you should provide documentary evidence of this; or

retired and in receipt of a pension; or

permanently incapacitated, having previously been in employment/self-employment, such as a doctor's letter or medical report confirming this condition.

SECTION 10 - DECLARATION

You must now read the declaration below and sign it. It must 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 a residence card for myself and any non-EEA or non-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 form, 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; and that, if such bodies provide the Home Office with any information about me which may be relevant for immigration purposes, it may be used in reaching a decision on my application.

I understand that documents provided in support of this application will be checked for authenticity; and that false documents will be retained and may result in my application being refused and in my prosecution and subsequent removal from the United Kingdom.

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 a residence card by means which include deception.

Signed

Date

