

Immigration | insight

As an EU citizen can I apply for Permanent Residence in the UK?

If you are a National of the European Economic Area (EEA) and are looking for reassurance regarding your status in the United Kingdom following the outcome of the recent referendum, you may wish to apply for a document certifying permanent residence from the Home Office.

The right to reside permanently

EEA nationals who have resided in the UK and have remained a **qualified person** for a continuous period of **five years** automatically acquire the right to reside permanently.

Am I a qualified person?

A qualified person is an EEA national who is exercising Treaty rights. An EEA national exercises Treaty rights if they are:

- A worker
- Self-employed
- Self-sufficient
- A student

An EEA national is also a qualified person during their initial arrival period in the United Kingdom when they are looking for work (a jobseeker) and will continue to be a qualified person during any period when they are temporarily unable to work as a result of illness or accident.

How do I apply?

The Home Office application form EEA (PR) should be completed and include the details for all family members applying at the same time at a cost of £65 per person. The application can be made by post. An online form can be used if you are an EEA or Swiss national, however presently only single applicants may apply using the online service. If you have family members then a paper form will need to be completed. Note that if you are a student or a self-sufficient person, there are limitations. Further details can be found at <https://visas-immigration.service.gov.uk/product/eea-pr>. The form should be accompanied by appropriate supporting documentation to show how you have remained a qualified person for the entire five-year period.

Some councils now offer a passport return service which will allow you to keep your passport while the application is pending with the Home Office. Further details can be found at www.gov.uk/government/collections/european-passport-return-service.

You can provide evidence from a combination of categories (for example, student and worker) throughout the five years. Such evidence must come within each category of qualified person being claimed. Unlike

applications made under the Immigration Rules, there is no set list of required specified evidence to be provided, but applicants must provide original documentation to support the claims being made.

Examples of Evidence

If you wish to show that you were a qualified person as a **student or self-sufficient** person you must provide original evidence to show that for the entire period being relied upon, you held **comprehensive sickness insurance** cover in the UK.

Both students and self-sufficient persons must provide evidence showing that they had **sufficient resources** so as not to be a burden on the social assistance system of the United Kingdom for the relevant period. Original bank statements showing sufficient financial resources would be acceptable evidence. Students should also provide a declaration or other assurance to the UK government that they have had sufficient resources and were not a burden on the social assistance system of the United Kingdom.

Workers must provide evidence of their employment for the entire period being claimed. An original letter from an employer can confirm the duration of employment, and a contract of employment will confirm the employment start date. P60s, payslips and bank statements are good strong corroborative evidence of employment.

If you have periods of self-employment, time as a **jobseeker** or became **involuntarily unemployed**, you will need to provide original evidence relevant to your particular circumstances to prove that you were a qualified person for the entire period claimed.

Can't I just apply for British Citizenship now instead?

No. Last year the Home Office amended the citizenship application process so that all EEA nationals who **wish to apply for naturalisation must first obtain confirmation that they have acquired permanent residence**. All EEA nationals who wish to naturalise must therefore apply first for a document certifying permanent residence.

Unless you are married to a British Citizen, you will need to wait until you have held permanent residence status for at least one year before being eligible to apply for naturalisation.

If you would like further advice or assistance with making an application for a document certifying permanent residence, please contact **0300 123 1233**.