

---

STATUTORY INSTRUMENTS

---

**2006 No. 1003**

**The Immigration (European Economic Area) Regulations 2006**

**PART 2**

**EEA RIGHTS**

**Issue of EEA family permit**

**12.—(1)** An entry clearance officer must issue an EEA family permit to a person who applies for one if the person is a family member of an EEA national and—

- (a) the EEA national—
  - (i) is residing in the UK in accordance with these Regulations; or
  - (ii) will be travelling to the United Kingdom within six months of the date of the application and will be an EEA national residing in the United Kingdom in accordance with these Regulations on arrival in the United Kingdom; and
- (b) the family member will be accompanying the EEA national to the United Kingdom or joining him there and—
  - (i) is lawfully resident in an EEA State; or
  - (ii) would meet the requirements in the immigration rules (other than those relating to entry clearance) for leave to enter the United Kingdom as the family member of the EEA national or, in the case of direct descendants or dependent direct relatives in the ascending line of his spouse or his civil partner, as the family member of his spouse or his civil partner, were the EEA national or the spouse or civil partner a person present and settled in the United Kingdom.

(2) An entry clearance officer may issue an EEA family permit to an extended family member of an EEA national who applies for one if—

- (a) the relevant EEA national satisfies the condition in paragraph (1)(a);
- (b) the extended family member wishes to accompany the relevant EEA national to the United Kingdom or to join him there; and
- (c) in all the circumstances, it appears to the entry clearance officer appropriate to issue the EEA family permit.

(3) Where an entry clearance officer receives an application under paragraph (2) he shall undertake an extensive examination of the personal circumstances of the applicant and if he refuses the application shall give reasons justifying the refusal unless this is contrary to the interests of national security.

(4) An EEA family permit issued under this regulation shall be issued free of charge and as soon as possible.

(5) But an EEA family permit shall not be issued under this regulation if the applicant or the EEA national concerned falls to be excluded from the United Kingdom on grounds of public policy, public security or public health in accordance with regulation 21.