



Helping people access justice

“Complex cases”: ARE YOU ELIGIBLE TO APPLY TO THE EU SETTLEMENT SCHEME (EUSS)?

** EU free movement law and UK immigration law is complicated. This document is a simplified guide to assist with determining whether a person MAY be eligible to apply to the EU Settlement Scheme. It is not intended to be a detailed guide to the full requirements of the Scheme. It should not replace case-by-case consideration of the facts by a regulated immigration advisor. We are funded to help applicants directly or to help advisors of clients with complex cases so please do get in touch **

If you feel the case is simpler please refer to our website www.bristolawcentre.org.uk/immigration or to <https://www.gov.uk/settled-status-eu-citizens-families>

1. ‘Surinder Singh’ route

Are you a non-EEA national? **Yes**

Are you the family member of a British citizen? **Yes**

Have you lived together in an EEA country other than the UK? **Yes**

Did your British citizen family member work or study in that EEA country? **Yes**

Have you lived in the UK together *after* leaving the EEA country? **Yes**

If you answered yes to all of the above, then you may be eligible to apply

2. Chen carer

Are you a non-EEA national? **Yes**

Are you the main carer of an EEA citizen child? **Yes**

Have you had and do you continue to have sufficient income, either from your job or in savings, to support the EEA citizen child without relying on state benefits? **Yes**

Is there anyone else that could look after the EEA citizen child in the UK? **No**

Would your EEA citizen child would be forced to leave the UK if you were required to leave? **Yes**

If your answers match the above, then you may be eligible to apply

3. Ibrahim/Teixeira child

Are you an EEA or non-EEA national? **Yes**

Are you the child of an EEA citizen? **Yes**

Did your EEA citizen parent work in the UK? **Yes**

Did you live in the UK when your EEA citizen parent was a worker? **Yes**

Are you currently in education? **Yes**

If you answered yes to all of the above, then you may be eligible to apply

4. Ibrahim/Teixeira carer

Are you a non-EEA national? **Yes**

Are you the main carer of an Ibrahim/Teixeira child (see above)? **Yes**

Is there anyone else that could look after the child in the UK? **No**

Would the child be unable to continue their education in the UK if you were required to leave? **Yes**

If you answered yes to all the above, then you may be eligible to apply

5. Zambrano carer

Are you a non-EEA national? **Yes**

Are you the main carer of a British citizen child? **Yes**

Is there anyone else that could look after the EEA citizen child in the UK? **No**

Would your EEA citizen child would be forced to leave the UK if you were required to leave? **Yes**

If your answers match the above, then you may be eligible to apply

6. Family member of dual EEA and British citizen

Are you the family member of a someone who holds dual British and EEA nationality? **Yes**

Was the British citizen a citizen of an EEA country *before* they became British? **Yes**

Did they live in the UK as an EEA citizen, *before* they became British? **Yes**

Did they have a right of permanent residence in the UK, *at the time* they became British? **Yes**

OR

Were they working, studying or self-sufficient in the UK, *at the time* they became British **and** have they continued to work, study or be self-sufficient in the UK, *since* they became British? **Yes**

If your answers match the above, then you may be eligible to apply

7. Former family member of an EEA citizen

Are you a non-EEA national? **Yes**

Are you the family member of an EEA citizen who is deceased? **Yes**

Did you live in the UK as a family member for at least 1 year *immediately before* the death of the EEA citizen? **Yes**

If your answers match the above, then you may be eligible to apply

OR

Are you the child of an EEA citizen who is deceased or who has left the UK? **Yes**

Were you studying in the UK *immediately before* the EEA citizen died or left the UK? **Yes**

Are you still in education? **Yes**

If your answers match the above, then you may be eligible to apply

OR

Are you a parent with custody of a child that the above scenario applies to? **Yes**

If your answers match the above, then you may be eligible to apply

OR

Were you married to an EEA citizen? **Yes**

Are you now divorced? **Yes**

Do any of the following apply?

a) You were married for at least 3 years *before* you divorced, and you lived in the UK for at least one of those years; **or**

b) You have custody of the EEA citizen's child; **or**

c) A court order says that you must have access to the EEA citizen's child in the UK; **or**

d) The marriage ended because of domestic violence or abuse.

If your answers match the above, then you may be eligible to apply