



## Housing Benefit and Council Tax Reduction - Permanent Right of Residence Questionnaire

To qualify for permanent residence an EEA national must normally have continuously exercised a Treaty right in the UK for 5 years through employment, seeking work, self-employment, study, or economic self-sufficiency, or have been the family member of an EEA national exercising Treaty rights or who has permanent residence.

If you think you or a close family member may have a permanent right of residence, please complete the section below with details of the EEA national (either yourself or your family member) who is exercising the Treaty right.

If you have/your EEA national family member has resided in the UK for less than 5 years but you/they stopped working or being self-employed due to early retirement, reaching state pension age or permanent incapacity, you/they may still qualify for permanent residence.

Please fill in this form with the details of the person who has gained a permanent right of residence in the UK. If this is a family member, you must provide evidence of the relationship

**Claim reference:** .....

**Claimant's name:** .....

**Address:** .....  
.....  
.....  
.....  
.....

**Name and address of person with permanent right of residence (if not the claimant):**

.....

**Relationship to claimant:** .....(we will need evidence of the relationship if not a member of the claimant's household)

## **Section 1 – Statement of treaty rights exercised for last 5 years**

The details given in this section must be supported by the documentary evidence specified in **Section 2**.

Exercising Treaty rights can include:

- Employment
- Self-employment
- Seeking work
- Economic self-sufficiency (including retirement)
- Study
- Stopped work due to retirement or permanent incapacity
- Temporarily incapacitated
- Unemployed and undertaking vocational training

Please state Treaty right exercised (e.g. employment, self-employment, etc):	From	Until	Name and address of employer or place of study/ type of business if self-employed	State evidence you have provided with this application (see <b>section 2</b> below)

--	--	--	--	--

**Absences from the UK**

Time spent outside the UK which does not exceed 6 months in total in any year and absences due to special circumstances will not affect your period of residence.

If you have had gaps where you left the UK, please tell us the date you left, the date you returned, and the reason you left.

Date left UK	Date returned to UK	Destination and reason for leaving

**I certify that the information I have provided in this document is true and complete to the best of my knowledge.**

**Signature:** .....

**Print name:** .....

## **Section 2 - Evidence**

So that we can decide if you have a permanent right of residence, you must provide the documents specified below to support what you have told us in Section 1.

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

Please note that in some cases, we may have to ask for other documentation in addition to those specified below.

### **Your current passport or ID card.**

If you do not have a passport or ID card, you must provide another form of identity and explain why you are unable to provide a valid passport or ID card.

### **For time spent in employment:**

Proof can include contracts of employment, letter(s) from your employer(s) confirming your employment, wage slips or P60s covering the 5-year continuous residence should be provided.

If you were required to be registered on the Worker Registration Scheme or to hold an accession worker authorisation document at any time during your 5-years continuous residence, you must provide your worker registration card and all worker registration certificates, or your worker authorisation document(s) (for example, your accession worker card), together with proof of your employment with each employer named on the certificate or card.

### **For time spent in self-employment:**

Proof can include evidence to show you are self-employed, e.g. a lease on business premises, HM Revenue and Customs (HMRC) self-assessment forms, business bank statements, invoices or receipts or National Insurance contributions, business accounts.

### **For time spent as a student:**

Evidence of a school, college or university letter confirming enrolment on a course of study, evidence of comprehensive sickness insurance (see section below on comprehensive sickness insurance) and evidence of funds available to you such as a bank statement, a document confirming the receipt of a grant or scholarship, or a declaration of sufficient funds.

### **For time spent as economically self-sufficient:**

Evidence of this can include evidence of comprehensive sickness insurance for yourself and any family members included in your application and of funds to show you are economically self-sufficient, e.g. a bank statement. If these funds come from a family member, evidence of their employment or funds should be supplied.

Evidence to show you are retired, e.g. document(s) confirming the receipt of a pension.

### **For time spent seeking work:**

You can include evidence of your unemployment such as letters from your last employer; evidence that you have registered as unemployed with Jobcentre Plus; evidence of seeking work, e.g. copies of application forms or letters of rejection or invite to interview from potential employers; evidence of registration with a recruitment agency; evidence of vocational or academic qualifications.

### **If you have stopped working or being self-employed due to permanent incapacity:**

We need to see evidence to show you are permanently incapacitated, e.g. a consultant's letter or medical report confirming permanent incapacity along with proof of having previously been in employment or self-employment.

You must also provide proof of either residing in the UK for the 2 years immediately before you stopped work or being self-employed, or proof that your incapacity is as a result of an accident at work or occupational disease that entitles you to a pension paid in full or part by an institution in the UK.

**If you have stopped working or being self-employed due to early retirement or reaching state pension age:**

We will need proof that you have resided in the UK for at least the 3 years immediately before you retired and that you were working or self-employed for at least 12 months immediately before you retired.

**For any period when you were unable to work or be self-employed due to temporary incapacity:**

We will need a medical report or letter from a doctor confirming the illness or accident and how long you were, or are expected to be, unable to work or engage in self-employment. Evidence that you were working or self-employed immediately before the temporary incapacity.

**As evidence of comprehensive sickness insurance (this requirement only applies to persons exercising Treaty rights as students or self-sufficient persons.):**

You must provide either a private comprehensive sickness insurance policy document that covered for medical treatment in the majority of circumstances, or a European Health Insurance Card (EHIC) that covered the 5-year period of residence in the UK.

**As evidence of residence in the UK by you and your family members both currently and continuously over 5 years:**

Proof of residence: this can include tenancy agreements, utility bills and bank statements. For children this could include letters from their school.

**As evidence of relationships:**

For family relationships: this can include marriage certificates, civil partnership certificates or birth certificates.

For unmarried partners: proof that you continue to be in a durable relationship, such as joint bank or building society statements, joint tenancy agreements or evidence that you have both continued to pay utility bills at the property at which you reside.

You should also include your registration certificate confirming that your right of residence as an unmarried partner has previously been recognised by the Home Office.

**If you are requesting permanent residence due to death of EEA national family member we need:**

Evidence of your EEA national working or being self-employed as stated in the relevant sections below.

Proof that you resided with them immediately prior to their death.

Proof that your EEA national family member lived in the UK for at least the 2 years prior to their death as stated in the relevant section below or that their death was as a result of an accident at work or occupational disease such as their death certificate.