

EU SPOUSE ADDRESS:

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Telephone: XXXXXXXXXXXX

Email: XXXXXXXXXXXX

Date: XXXXXXXX

Dear Sir/Madam

Re: EEA Family Permit Application Ref – GWFXXXXXXXX

I am the British spouse of Mr/Mrs XXXXXXXXX as evidenced by our marriage certificate and I am writing in support of his application for a Family Permit. We are residing in Ireland where I work full time, and now wish to return to the UK to reside there under Regulation 9 of the Immigration (EEA) Regulations 2006.

I qualify under Regulation 9 because during my residence in Ireland, I have been working 40 hours per week and have done so for the past 13 weeks (as of the date of this letter) and this continues as my job is a full time, permanent position. As evidence, please find enclosed –

- Work contract
- 6 x payslips (I am paid fortnightly)
- Tax Credit Certificate

Since I am working more than 10 hours per week and for more than 10 weeks, under EU case law my work is genuine and effective (Case C-444/93 Megner and Scheffel and Case C-413/01 Ninni-Orasche).

I have lived in Ireland with my spouse for 22 weeks and 3days (as of the date of this letter). As evidence please find copies enclosed –

- Rental contract for our home in joint names
- Electricity bill in joint names
- Bank statement showing joint account
- PPS letter – Non EU Spouse
- PPS letter – EU Spouse
- PRTB letter – Non EU Spouse
- PRTB letter – EU Spouse

Please also find enclosed evidence to prove who we are and evidence of our marriage –

- Passport – Non EU (**Country**, Passport number: XXXXXXXXX)
- Passport – EU Spouse (United Kingdom, Passport number:)
- Original marriage certificate

My centre of life has been transferred to Ireland because I live here permanently and work here full time, my family live here with me, and I have integrated into life here, therefore we have “strengthened a family life” (CJEU Case C-456/12) in Ireland. You can see this from my evidence of employment and residence, and also from the below additional evidence –

- Copy of My husband’s GNIB card
- Copy of letter from INIS regarding my husband’s residency application
- Copy of Library cards
- Copy of Tesco club card
- Copy of Doctor’s prescriptions for Non EU spouse and EU spouse
- Copy of Dentist receipts from EU spouse
- Copy of Parcel sent from UK to Ireland in joint names
- Receipts evidencing everyday life in Ireland

As you can see from the evidence provided, my husband is qualified (under Regulation 9 of the Immigration (EEA) Regulations 2006) to return with me to the United Kingdom under the judgement of the CJEU in case C-370/90 Singh.

However, it must be stressed that even though I do qualify for family reunification under the UK’s “centre of life” rules, strictly speaking the UK’s “centre of life” requirements are now not legally permissible and the UK government will have to amend these rules in order to be compliant with EU law in the near future.

Accordingly, it follows from the Eind judgment (case C-291/05) that: "When a worker returns to the Member State of which he is a national, after being gainfully employed in another Member State, a third-country national who is a member of his family has a right under Article 10(1)(a) of Regulation No. 1612/68 as amended by Regulation No. 2434/92, which applies by analogy, to reside in the Member State of which the worker is a national, even where that worker does not carry on any effective and genuine economic activities."

I understand that my husband’s application for an EEA Family Permit is required by the Home Office to meet the conditions set out in The Immigration (European Economic Area) Regulations 2006, but please bear in mind that there cannot be any additional conditions for an EU’s citizen’s return to his country with his family members other than those provided for by the directive and this is the only criteria that can be applied when considering my husband’s application.

I trust this application meets with your satisfaction and I look forward to your reply in the near future.

Yours faithfully

Miss/Mrs/Mr XXXXXXXX