

Comprehensive sickness insurance for family members of EEA students

This note provides guidance to customers on recent changes to the Immigration (European Economic Area) Regulations 2006 (as amended) ("the Regulations") which require family members of EEA national students to hold comprehensive sickness insurance (CSI) in the UK.

Background

Prior to amendments to the EEA Regulations which came into force on 6th April 2015, EEA nationals who were residing in the UK as students were required to hold CSI for themselves, but the Regulations did not require such persons to also hold CSI for any family members who are residing in the UK with them. This is in contrast to the requirements for self-sufficient persons, who are explicitly required to hold CSI for themselves and any family members.

Changes were made to the Regulations on 6th April to bring the requirements for family members of students in line with those for the family members of self-sufficient persons.

Implementation

Whilst changes to the Regulations were made on 6th April, for operational reasons, the requirement for family members of students to hold CSI will only be applied in practice from 22nd June 2015. This note is being communicated to customers on the gov.uk website in advance of this date to enable customers to comply with the requirement when applying for residence documentation from the Home Office.

Registration certificates and residence cards – applications received on or after 22nd June 2015

Applications for registration certificates or residence cards received **on or after 22nd June** will be decided in line with the amended Regulations. This means that evidence of CSI must be provided to cover the EEA national and any family member also residing in the UK with them. Where there is no evidence of CSI for the EEA national or their family member(s), the application will be refused in line with regulation 4. For more information of what is sufficient evidence of CSI, see the [modernised guidance](#).

Registration certificates and residence cards – applications received before 22nd June.

Where an application for a registration certificate or residence card has been received **prior to 22nd June**, caseworkers can proceed to issue a document where the EEA national student has evidence of CSI and all other requirements of the Regulations are met. This means that an application will not be refused where the family members of the EEA national do not also have CSI on the date of decision (even if that decision date is after 22nd June). In order to make customers fully aware of the change in requirements, where it is proposed to issue a registration certificate or residence card, caseworkers must issue an accompanying letter which explains that any subsequent applications (including for permanent residence) must show full compliance with the new requirements for CSI.

Permanent residence cards and documents certifying permanent residence

Applications for permanent residence must be assessed according to the qualifying period under consideration. For example, a family member of an EEA national student applied for a permanent residence card on 15th February 2015 and this application remains outstanding on 22nd June 2015. They have provided evidence their EEA national sponsor was a student and that the EEA national held CSI for the period January 2010 to January 2015. As this qualifying period preceded changes to the Regulations, it can be accepted for the purposes of CSI, that the Regulations have been met.

Contrast this to a family member of an EEA national student who applies for a permanent residence card on 15th September 2015. This application relies on a qualifying period of between September 2010 and September 2015. In this case therefore, we would require the family member to provide evidence that they also have CSI, in addition to their EEA national sponsor for the period between 22nd June 2015 and September 2015 (i.e. the period after which the requirement to hold CSI was applied). For any period preceding 22nd June, evidence of CSI can be accepted for the EEA national only.