
STATUTORY INSTRUMENTS

2000 No. 2326

The Immigration (European Economic Area) Regulations 2000

Part I

Interpretation Etc.

Interpretation of Regulations

“Self-employed person who has ceased activity”

- 4.—(1) In these Regulations, “self-employed person who has ceased activity” means—
- (a) a person who—
 - (i) on the day on which he terminates his activity as a self-employed person has reached the age at which he is entitled to a state pension;
 - (ii) has pursued such activity in the United Kingdom for at least the twelve months prior to its termination; and
 - (iii) has resided continuously in the United Kingdom for more than three years;
 - (b) a person who—
 - (i) has resided continuously in the United Kingdom for more than two years; and
 - (ii) has terminated his activity as a self-employed person as a result of a permanent incapacity to work;
 - (c) a person who—
 - (i) has resided and pursued activity as a self-employed person in the United Kingdom;
 - (ii) has terminated that activity as a result of a permanent incapacity to work; and
 - (iii) such incapacity is the result of an accident at work or an occupational illness which entitles him to a pension payable in whole or in part by the state;
 - (d) a person who—
 - (i) has been continuously resident and continuously active as a self-employed person in the United Kingdom for three years; and
 - (ii) is active as a self-employed person in the territory of an EEA State but resides in the United Kingdom and returns to his residence at least once a week.
- (2) But, if the person is the spouse of a United Kingdom national—
- (a) the conditions as to length of residence and activity in paragraph (1)(a) do not apply; and
 - (b) the condition as to length of residence in paragraph (1)(b) does not apply.
- (3) For the purposes of paragraph (1)(a) and (b) periods of activity completed in an EEA State by a person to whom paragraph (1)(d)(ii) applies are to be considered as having been completed in the United Kingdom.
- (4) For the purposes of paragraph (1)—

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- (a) periods of absence from the United Kingdom which do not exceed three months in any year or periods of absence from the United Kingdom on military service are not to be taken into account; and
- (b) periods of inactivity caused by circumstances outside the control of the self-employed person and periods of inactivity caused by illness or accident are to be treated as periods of activity as a self-employed person.