
STATUTORY INSTRUMENTS

2006 No. 1003

The Immigration (European Economic Area) Regulations 2006

PART 1

INTERPRETATION ETC

“Worker”, “self-employed person”, “self-sufficient person” and “student”

4.—(1) In these Regulations —

- (a) “worker” means a worker within the meaning of Article 39 of the Treaty establishing the European Community⁽¹⁾;
- (b) “self-employed person” means a person who establishes himself in order to pursue activity as a self-employed person in accordance with Article 43 of the Treaty establishing the European Community;
- (c) “self-sufficient person” means a person who has—
 - (i) sufficient resources not to become a burden on the social assistance system of the United Kingdom during his period of residence; and
 - (ii) comprehensive sickness insurance cover in the United Kingdom;
- (d) “student” means a person who—
 - (i) is enrolled at a private or public establishment, included on the Department for Education and Skills' Register of Education and Training Providers⁽²⁾ or financed from public funds, for the principal purpose of following a course of study, including vocational training;
 - (ii) has comprehensive sickness insurance cover in the United Kingdom; and
 - (iii) assures the Secretary of State, by means of a declaration, or by such equivalent means as the person may choose, that he has sufficient resources not to become a burden on the social assistance system of the United Kingdom during his period of residence.

(2) For the purposes of paragraph (1)(c), where family members of the person concerned reside in the United Kingdom and their right to reside is dependent upon their being family members of that person—

- (a) the requirement for that person to have sufficient resources not to become a burden on the social assistance system of the United Kingdom during his period of residence shall only be satisfied if his resources and those of the family members are sufficient to avoid him and the family members becoming such a burden;
- (b) the requirement for that person to have comprehensive sickness insurance cover in the United Kingdom shall only be satisfied if he and his family members have such cover.

⁽¹⁾ OJNo. C325, 24.12.02, p. 51.

⁽²⁾ The Register of Education and Training Providers is maintained by, and is available on the website of, the Department for Education and Skills.

(3) For the purposes of paragraph (1)(d), where family members of the person concerned reside in the United Kingdom and their right to reside is dependent upon their being family members of that person, the requirement for that person to assure the Secretary of State that he has sufficient resources not to become a burden on the social assistance system of the United Kingdom during his period of residence shall only be satisfied if he assures the Secretary of State that his resources and those of the family members are sufficient to avoid him and the family members becoming such a burden.

(4) For the purposes of paragraphs (1)(c) and (d) and paragraphs (2) and (3), the resources of the person concerned and, where applicable, any family members, are to be regarded as sufficient if they exceed the maximum level of resources which a United Kingdom national and his family members may possess if he is to become eligible for social assistance under the United Kingdom benefit system.