

**Question for written answer P-010532/2014  
to the Commission (Vice-President / High Representative)**  
Rule 130  
**Pavel Svoboda (PPE)**

Subject: VP/HR - EEA Family Permit

The authorities in the UK require a family member of an EU citizen who is a citizen of a third country and holder of a valid residence permit in that capacity to be in possession of a specific type of visa, the 'EEA Family Permit', should that family member wish to enter and remain in the UK.

We feel that pursuant to the Opinion handed down by the Advocate General of the European Court of Justice in Case C-133/06, the EEA Family Permit is not in compliance with Directive 2004/38, which does not contain provisions authorising any Member State to adopt measures preventing a family member of an EU citizen who holds a valid residence permit from benefiting from the exception to the requirement to hold a visa set out in Directive 2004/38, which is aimed precisely at family members of EU citizens who hold valid residence permits issued by EU Member States.

Given that this practice creates considerable legal uncertainty for EU citizens who travel with their family members, could the Commission give its view on the current practices of the competent authorities in the UK in respect of family members of EU citizens who hold valid residence permits in that capacity? What recommendation would the Commission make to those travellers who wish to benefit from the right enshrined in Directive 2004/38?