

EU/EEA AND SWISS NATIONALS' FAMILY MEMBER UNDER DIRECTIVE 2004/38/EC

The following persons are considered to be family members of an EU/EEA or Swiss citizen:

- his or her spouse
- his or her children who are under 21 years of age and the children of similar status of his or her spouse
- his or her relatives in a direct ascending line who are dependent on him or her and relatives of similar status of his or her spouse
- his or her guardian, if the EU/EEA or Swiss citizen is a minor

Persons living continuously in a marriage-like relationship in the same household regardless of their sex are comparable to a married couple if

- they have lived in the same household for at least two years or
- they have a child in their joint custody or
- there are other weighty reasons.

Other relatives are treated in the same manner as family members of EU citizens, regardless of their citizenship, if

- the relative is, in the country of departure, dependent on the EU citizen who has the primary right of residence or the relative lived in the same household with the EU citizen in question; or
- serious health grounds absolutely require the EU citizen in question to give the relative personal care