

# BREXIT

## Brexit: Immigration if there is a deal

Following deal scenario applies:

### Transition



Transition period or implementation period. The EU will treat the UK as if it were a Member State during the transition period - until 31 Dec 2020.



The U.K. must abide by all EU rules and will lose membership of its institutions



The draft withdrawal agreement states that the transition period can be extended for one/two years



Both the U.K. and EU must agree to any extension and the decision must be taken before July 1, 2020

### Citizen's rights



Broadly unchanged from the initial draft withdrawal agreement set out in March



U.K. nationals in the EU and EU nationals in the U.K. will retain their residency and social security rights after Brexit



U.K.nationals who take up residency in another EU country during the transition period will be allowed to stay in that country



Anyone who stays in the same EU country for five years will be allowed to apply for permanent residence

# Brexit: Immigration if there is no deal

The U.K. is not the only country affected if it exits the EU with no deal. EU nationals are entitled to Freedom of Movement and do not require a permit to live and work in other EU countries. However, when the U.K. leaves the EU, its nationals' immigration status will change to that of an unprivileged third-country national. By law they will require a visa or permit to enter the Schengen Area and work in an EU country. Several governments have published plans that will take effect after Brexit, the new withdrawal date has been set as 01 November 2019, 00:00 CET. We look at what some EU countries are doing to minimize the impact of a no-deal outcome on U.K. citizens planning to work and reside in the countries.

|                       | Transition period                                                              | Action required prior to Brexit deadline                      | Action required during the transition period                                                                                        | Action required after the transition period | Is permanent residency available? | Requirements for new hires (U.K. citizens)                                                                                                                                                                            |
|-----------------------|--------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Austria</b>        | Six months (only applicable to those who arrived three months before a Brexit) | Apply for an EU Residence Declaration                         | Apply for a national residence permit                                                                                               | A residence and/or work permit is required  | Yes, after five years             | To be confirmed                                                                                                                                                                                                       |
| <b>Belgium</b>        | 21 months                                                                      | N/A                                                           | U.K. nationals should take the necessary steps to collate any documents required to register and obtain residence status in Belgium | A residence and/or work permit is required  | To be confirmed                   | To be confirmed                                                                                                                                                                                                       |
| <b>Czech Republic</b> | 21 months                                                                      | None                                                          | Apply for work/residence permits required after the transit period                                                                  | A residence and/or work permit is required  | Yes, after five years             | A work/residence permit is required for U.K. nationals starting employment on Brexit Day                                                                                                                              |
| <b>Denmark</b>        | Currently indefinite                                                           | Apply for an EU registration certificate or EU residence card | N/A                                                                                                                                 | To be confirmed                             | To be confirmed                   | To be confirmed                                                                                                                                                                                                       |
| <b>Estonia</b>        | 24 months                                                                      | N/A                                                           | Apply for a residence card                                                                                                          | A residence and/or work permit is required  | Yes, after five years             | U.K. nationals arriving before March 31, 2021, can register as U.K. nationals. U.K. nationals arriving on or after April 1, 2021, should apply for a local permit (same requirements and process as non-EU nationals) |

|                    | Transition period                               | Action required prior to April, 12 2019 | Action required during the transition period                                                                                 | Action required after the transition period                                                                                                                                                                                                                                                                   | Is permanent residency available?                                                                                                                | Requirements for new hires (U.K. citizens)                                                                                       |
|--------------------|-------------------------------------------------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>France</b>      | Between 3-12 months (timeline to be determined) | None                                    | Apply for necessary permits                                                                                                  | A residence and/or work permit is required                                                                                                                                                                                                                                                                    | U.K. nationals who have resided in France for more than five years on Brexit Day can apply for a long-term residence permit (valid for 10 years) | To be confirmed                                                                                                                  |
| <b>Germany</b>     | 3 months                                        | None                                    | None                                                                                                                         | A residence and/or work permit is required                                                                                                                                                                                                                                                                    | To be confirmed                                                                                                                                  | To be confirmed                                                                                                                  |
| <b>Lithuania</b>   | 9 months                                        | Registration complete                   | Apply for national residence permit required after the transit period                                                        | A residence and/or work permit is required                                                                                                                                                                                                                                                                    | To be confirmed                                                                                                                                  | To be confirmed                                                                                                                  |
| <b>Luxembourg</b>  | 12 months                                       | None                                    | Apply for residence permit before December 31, 2019                                                                          | A residence and/or work permit is required                                                                                                                                                                                                                                                                    | To be confirmed                                                                                                                                  | To be confirmed                                                                                                                  |
| <b>Netherlands</b> | 15 months                                       | None                                    | U.K. nationals residing in the Netherlands are invited to the Dutch Immigration Authorities to obtain their residence permit | A residence and/or work permit is required                                                                                                                                                                                                                                                                    | Yes, after five years                                                                                                                            | U.K. nationals arriving after Brexit Day must apply for a residence and work authorization. They are exempt from an entry permit |
| <b>Poland</b>      | 12 months                                       | Registration complete                   | Apply for work/residence permits required after the transit period                                                           | A residence and/or work permit is required. U.K. nationals who have been in the country for less than five years can apply for a special, three-year temporary permit. After three years, the permit holder will qualify for a standard national type under the same eligibility criteria as non-EU nationals | Yes, after five years                                                                                                                            | To be confirmed                                                                                                                  |

|                 | Transition period | Action required prior to April, 12 2019 | Action required during the transition period                                                                                                                                                                       | Action required after the transition period | Is permanent residency available? | Requirements for new hires (U.K. citizens)                                                                                                                                                               |
|-----------------|-------------------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Sweden</b>   | 12 months         | None                                    | U.K. nationals should apply for a special temporary residence permit. This will allow them to work and reside in Sweden until they reach a five-year threshold. After which they can apply for permanent residency | A residence and/or work permit is required  | Yes, after five years             | U.K. nationals arriving before March 30, 2020, can register as EU nationals. U.K. nationals arriving after March 31, 2020, must apply for a local permit under the same requirements as non-EU nationals |
| <b>Spain</b>    | 21 months         | None                                    | U.K. nationals and non-EU family members residing in Spain will be required to apply for a national residence permit. It will allow them to work and reside in Spain after December 31, 2020                       | A residence and/or work permit is required  | Yes, after five years             | To be confirmed                                                                                                                                                                                          |
| <b>Portugal</b> | 21 months         | Apply for EU Registration certificate   | Apply for special national permit required after the transit period                                                                                                                                                | A residence and/or work permit is required  | Yes, after five years             | U.K. nationals will be required to obtain work/residence authorization under the same eligibility criteria as non-EU nationals                                                                           |

# EU nationals residing or planning to reside in the U.K.

Only the rights of EU nationals living in the U.K. before 31 October 2019, will be protected. The EU Settlement Scheme will still operate, however, the cut-off dates will be brought forward. EU citizens in the U.K. before 31 October 2019 will qualify, and will be required to apply before December 31, 2020.



## Visitors

EU citizens travelling to the U.K. after 31 October 2019 for short visits will be permitted to do so without restrictions until 31 December 2020. They will be able to study or work during this time.



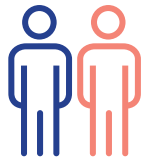
## European Temporary Leave to Remain

EU nationals who wish to stay in the UK beyond 31 December 2020 will need to apply for a new European Temporary Leave to Remain (Euro TLR). They will be granted a digital status valid for 3 years. At the end of that period they will need to make a further application under the new points-based immigration system.



## Family members

There is a separate set of regulations for family members of EU citizens and the deadline to apply will depend on various factors, such as nature of relationship, whether the relationship begun before or after the UK leave the EU



## Irish citizens

Irish nationals will continue to have the right to enter and live in the U.K., under domestic Common Travel Area arrangements



## EFTA citizens

The same regulations will apply to citizens of Switzerland, Norway, Iceland and Liechtenstein as to citizens of EU countries.



This article was authored by Andrea Fascetti, Global Director Immigration Services. If you have questions regarding this article or would like to find out more about our other services, please contact Andrea Fascetti at [afascetti@crowncw.com](mailto:afascetti@crowncw.com) or visit our website at [www.crownworldmobility.com](http://www.crownworldmobility.com).