

BREXIT

Brexit: Facts

The United Kingdom ceased to be a member of the European Union on 31 January 2020.

Withdrawal Agreement – Key Immigration Points

Transition



The transition period begun on 31 January 2020 and will last until 31 December 2020.



The UK needs to abide by all EU rules, but have lost membership of its institution.



UK Government has ruled out any extension in law. On 12 June 2020 the UK has confirmed to the EU that it will not extend the Brexit transition period.



Future relationship between the UK and EU are being negotiated. There is still a risk of no deal at the end of the transition period.

Citizen's rights



Freemovement rights of EU citizens in the UK and UK citizens in EU will continue during the transition period.



All existing rights of British citizens and their close family members (including non-EU citizens) currently living in the EU, or who move there during the transition period will be preserved after the transition period ends. They may need to apply for residence status in the country they are residing to retain their rights.



All existing rights of EU citizens and their close family members (including non-EU citizens) currently living in the UK or who move to the UK during the transition period, will be preserved after the transition period ends. They should apply to the EU Settlement Scheme to retain their rights.



The rights of EU citizens in the UK and UK citizens in EU will be protected even if there is no deal agreed between the UK and EU at the end of the transition period.

EU citizens in the UK

- **Those who arrive before 31 December 2020.**

Their rights to work, live and study will be protected. They will have until 30 June 2021 to apply to the EU Settlement Scheme.

EU Settlement Scheme	
Pre-settled Status	Settled Status
Granted to EU nationals and their family members, who have lived in the UK for less than 5 years.	Granted to EU nationals and their family members, who have lived in the UK continuously for at least 5 years.
Issued for a period of 5 years and can be changed to settled status after that.	There is no time limit on EU national stay in the UK
Family members in a relationship with the EU citizen, which existed before 31 December 2020 will be able to join them in the UK at any point in the future.	Family members in a relationship with the EU citizen, which existed before 31 December 2020 will be able to join them in the UK at any point in the future.
Family members in a relationship with Swiss national, which existed before 31 December 2025 will be able to join them in the UK until 31 December 2025.	Family members in a relationship with Swiss national, which existed before 31 December 2025 will be able to join them in the UK until 31 December 2025.

- **Those who arrive after 31 December 2020.**

Will be required to meet UK immigration regulations as other non – EU citizens in order to work in the UK.

UK citizens in EU

- **Those who arrive before 31 December 2020.**

Their rights to work, live and study will be protected. UK nationals residing in an EU country should complete any requisite national registration requirements to demonstrate their legal stay or apply for a cross- border worker status before 31 December 2020. UK nationals who do not complete necessary registrations may lose work and residence rights after the end of the Brexit transition period. Those who resided in the EU country for 5 years will be allowed to apply for permanent residence.

UK nationals may be required to apply for a new residence status document under the Withdrawal Agreement (Article 50 Residence Permit) or Frontier Worker Permit before 30 June 2021. The terms and procedures for applications vary between EU countries, some are yet to publish such regulations. The table below provides information that is available at the moment:

Country	Application process for UK citizens
Austria	A proposal for a new type of residence permit for UK nationals and their eligible family members have been published. In order to apply they must have established their residence in Austria before the end of 2020 by registering their address with a local Registration Office. Applications for a new permit will become available from January 2021 and can be filed until 31 December 2021. There are no specific arrangement for cross-border workers.

Country	Application process for UK citizens
Belgium	UK citizens and their family members will receive a letter asking them to go to the municipality where they reside to apply for their new residence card. They will be issued by Mid-2021 at the latest. Cross-border workers with established status (Annex 15) before 31 December 2020 should apply for an N-card once applications open.
Bulgaria	UK citizens and their family members legally residing In Bulgaria at the date of Brexit or have a valid residence permit will retain residence rights in Bulgaria and they can use their permit up to 1 year after the end of the transition period or up to the expiry of the validity of the document – whichever comes first. To continue residing, they will need to submit an application for the renewal of their residence permit or for the issuance of a new residence permit. The applications are open and should be submitted in person to the Migration Directorate or the relevant Migration Office at the Regional Directorate of the Ministry of Interior. There are no specific arrangements for cross-border workers.
Croatia	No information on the new application scheme has been published yet. British citizens and their family members residing in Croatia are strongly recommended to register their residence/apply for a residence card as a family member in line with EU Regulations.
Cyprus	Current Residence documents will be valid and can be voluntarily replaced with the new residence document under the Withdrawal Agreement. Applications under a new system will be accepted starting from 1 January 2021.
Czech Republic	No information on the new application scheme has been published yet. At this point it is recommended that British citizens and their family members secure an EU/EEA residence permit before December 31, 2020, which is the only type of residence permit they can be granted at this point. It is expected that between 1 January 2021 and 31 December 2021, UK nationals and their family members will be required to change the EU/EEA residence permit to a non-EU permit card. Currently there are no specific proposals/arrangements for cross-border workers.
Denmark	Application for a new residence status document to the Danish Agency for International Recruitment and Integration (SIRI) will be required. Applications may be submitted throughout 2021.
Estonia	British citizens and their family members who reside in Estonia or arrive in Estonia before the end of the transition period do not need to take any additional steps or additional registration. They should ensure that their place of residence in the registries should be up to date and it is important they renew their ID card if it expires. There are plans to start issuing a new document certifying the right of residence in Estonia due to the withdrawal agreement from the beginning of 2021.
Finland	UK citizens who have registered their right of residence as an EU citizen before the end of the transition period and who want to continue to reside in Finland after that period ends, should apply for a right of residence under the withdrawal agreement during the application period Applications have been opened since October and should be submitted by 30th of September 2021. Please note that UK citizens arriving in Finland for the first time after the 31st of December 2020, must apply for a residence permit. There are no specific arrangements for cross-border workers.
France	<p>British nationals and members of their family already settled in France or wishing to settle there before 31 December 2020 will be required to apply for the issuance of residence permits marked “Withdrawal Agreement”. They must apply online before 30th June 2021.</p> <p>The online application system for a new residence permit has now gone live. There are no specific arrangements for cross-border workers.</p>
Germany	No information on the application scheme has been published yet. For now, British nationals should only complete the required registration of their residency in Germany at the town hall.

Country	Application process for UK citizens
Greece	UK citizens arriving in Greece by end of December shall make sure to complete their registration with the local EU, tax and social security authorities (there is no specific Brexit system; the regular path is followed). This will allow them to submit afterwards an application for a residence permit as NON-EU nationals. For those who already live in Greece and are registered with the local authorities, it is recommended that they proceed with registering as permanent residents, if they are eligible. Applications for Article 50 Residence Permit will open from 1 January 2021 and must be submitted before 30 June 2021. There are no specific arrangements for cross-border workers.
Hungary	Rights of British citizens and their family members, who currently work and live in Hungary with EU residence card, will remain unchanged for 3 years after 31 December 2020 that is until 31 December 2023. Applications open from 1 January 2021 and must be submitted by 23 October 2023. There are no specific arrangements for cross-border workers.
Iceland	UK citizens should register their domicile with Registers Iceland as residents in Iceland before the end of the transition period.
Italy	UK citizens should apply for a new 'attestazione' document at the relevant municipality. Although it is said to be declaratory, it is recommended it is obtained. There is no time limit within which this should be obtained.
Latvia	British citizens and their family members must submit, before 30 June 2021, an application to the Office of Citizenship and Migration Affairs (OCMA) and obtain a new residence permit. Application system is open, but permits will be issued only from 1 January 2021. Applicants do not longer need to wait for an invitation letter. Cross-border workers with an established status before 31 December 2020 should also apply for status under the Withdrawal Agreement to continue their activities.
Lithuania	No information on the new application scheme has been published yet. British citizens and their family members should continue to apply for a document confirming their right to reside in accordance with the current EU Regulations.
Luxembourg	Current residence document will be replaced by a new residence document valid from the end of the transition period. No information on the application scheme has been published yet.
Malta	All UK nationals resident in Malta and already in possession of an EU Residents Certificate will receive information from Identity Malta to exchange their documents for one reflecting the new status. Applications are open. Applicants are required to personally submit their application by calling at Identity Malta's Expatriates Unit in Valley Road, Msida on the dates indicated in the letter they will be receiving. Applicants residing in Gozo would need to apply at the eResidence Unit, St. Francis Square, Victoria, Gozo. A residence document valid for a period of 10 years will be issued and will be automatically renewed on application, provided that the relative conditions remain satisfied. The existing document shall continue to remain valid until the new residence document is issued. UK nationals settling in Malta during the transition period may apply for their new residence status after 3 months of their arrival in Malta and before 30th June 2021.
Netherlands	All UK nationals who came to live in the Netherlands before 1 August 2020 have now received an invitation to submit an application either for a temporary residence permit (after lawful residence for less than 5 years) or for permanent residence (after lawful residence for a period of 5 years). The employer will not need to sponsor these types of residence permits. Those who have not received an invitation or come to the Netherlands between 1 August and 31 December 2020 and have the right to a residence document, can apply for it online preferably before 31 December 2020 but can be submitted until 30 June 2021. The invitation from the IND is no longer needed. Applicants are reminded to make an appointment to have their biometrics taken at an IND desk (photo, passport and signature). The IND needs the biometrics to prepare the residence document. Cross-border workers with an established status must apply for a 'Frontier worker document' before 31 December 2020 to be able to continue similar activities from 1 January 2021.

Country	Application process for UK citizens
Norway	At the moment British citizens living and working in Norway need to register at the Police/The Norwegian Directorate of Immigration (UDI) to obtain a valid registration before 31 December 2020. The Norwegian government is working on a new solution. There is no indication on when it will be introduced.
Poland	UK citizen and their eligible family members will be able to apply for a new residence permit document (issued in accordance with the Agreement on the withdrawal) at the voivodship office after the end of the transition period. The application system will open on 4 January 2021 and applications must be filed before 31 December 2021. No further details have been published. For now they should continue to apply for the EU registration document.
Portugal	Current EU registration documents will be exchanged for a new residence permit. It is important that all British citizens living in Portugal obtain the "European Citizenship Certificate" before 31st December 2020. This is the official residency document in Portugal for all EU citizens to ensure a smooth transition to the Brexit procedures. No further information on the new process has been published yet. Cross-border workers with an established status before 31 December 2020 should apply to register as a frontier worker between 1 January 2021 and 31 December 2021 to be able to continue their activities.
Romania	EU citizens and their family members can continue to register as Romanian residents and obtain a certificate from the General Inspectorate for Immigration (Inspectoratul Roman pentru Imigrari). These registration certificates will be recognized until 31 December 2021. The system for registration for the new residence status under the Withdrawal Agreement is now open and applicants should apply by 31 December 2021.
Slovakia	British citizens and their eligible family members need to contact the Foreigners Police to obtain a new Five-Year Residence Permit Card before 30 June 2021. Applications are open. Cross-border workers should also register their residence and obtain their respective Residence Card.
Slovenia	No information on the application scheme has been published yet. Permits held by British citizens and their family members now are expected to have the same validity after the 1st of January 2021.
Spain	<p>The current registration certificates and family citizen cards of the EU available to British citizens and their family members residing in Spain are valid documents to prove legal residence in Spain, after the UK's withdrawal from the EU and benefit from the provisions of the Withdrawal Agreement. However, British citizens and their family members residing in Spain can now request a uniform format residence document (TIE), which will prove the condition of their beneficiary carrier of the rights contemplated in the Withdrawal Agreement. To apply, they must go to the immigration office of the province where they intend to reside or to the corresponding police station. There is no deadline to replace the EU certificate of registration for the Residence document, but they are advised to apply at the earliest.</p> <p>UK nationals who arrive before 31 December 2020 have up to 90 days to file for Article 50 residence permit. It is advised they still apply before 31 December 2020 so that their residence before the end of the transition period is not questioned. There are no specific arrangements for cross-border workers.</p>
Sweden	British citizens currently residing in Sweden will need to apply to the Swedish Migration Agency for a new residence status. The application system will open from 1 December 2020 and applications should be filed before 30 September 2021. The deadline for applications of their eligible non-EEA family members has not been confirmed yet. Currently there are no specific arrangements for cross-border workers.
Switzerland	Registration at a local office of resident services before 31 December 2020.

- **Those who arrive after 31 December 2020.**

Will be treated as non – EU citizen and will be required to meet regulations of respective countries in order to work in EU. Most EU country authorities have yet to publish details on this.

UK and Ireland

Rights of UK citizens in Ireland and Irish citizens in the UK will remain unchanged and there will be no obligation to apply for a residence document or a visa. Non-Irish or non-British family members will be required to apply.

Business travellers from 1 January 2021

- **UK citizens in Europe:** Business visitors will be limited to maximum 90 days in any 180-day period. Their activities will have to be checked against the national legislations of each EU country to determine if they fall within the permitted business activities.
- **EU, EEA and Swiss citizens in the UK:** Business visitors will be able to come to the UK for up to 180 days at any one time. They will only be allowed to undertake activities permitted by business visitors. Visitors are prohibited from using the visitor route to reside in the UK long term.



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@crownwww.com and Joanna Sogeke, Senior Immigration Coordinator EMEA at jsogeke@crownwww.com or visit our website at www.crownworldmobility.com.



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