



EU Settlement Scheme July 2019



Top Level Summary

- The rights of EU nationals living in the UK remain unchanged until 30 June 2021, provided they are resident by 31 December 2020 (or the date the UK leaves the EU in the event of a no deal).
- EU nationals will require permission to reside in the UK by 30 June 2021 at the latest (or 31 December 2020 in the event of a no deal)
- Permission is obtained via the EU Settlement Scheme, and will be in the format of a unique reference number.
- Applicants will be granted either Settled or Pre-Settled Status, depending on their time here in UK.
- Straightforward process with minimal documentary requirements.
- Removal of comprehensive sickness insurance requirements.
- As of 21st January, the Prime Minister has said it will be free for all individuals. (Previous pricing £65 per adult and £32.50 per child. Free for existing Permanent Residence holders).

Current/ Pre-Brexit requirements

You do not currently need to apply for a document to prove you can live in the UK unless:

- You're an extended family member of someone from the EEA or Switzerland
- You wish to apply for British citizenship
- You wish to sponsor your partner's visa application under the Immigration Rules

Key Dates:

29 March 2019	EU Settlement Scheme opens to all EU nationals.
31 December 2020	You need to have started living in UK by this date to apply for pre settled status. <i>(In the event of no deal, this date will change to the date the UK leaves the EU).</i>
30 June 2021	Final deadline for applying for settled status. <i>(In the event of no deal, this date is brought forward to 31 December 2020).</i>

EU Settlement Scheme

<p>Applicable to whom?</p>	<p>EU citizens & their family will be able to apply for either settled or pre-settled status.</p> <p>You will need to apply even if you're a EU citizen married to a British citizen.</p>
<p>Those who do not need to apply:</p>	<ul style="list-style-type: none"> • Irish citizen • Those with indefinite leave to remain in the UK * • Those with indefinite leave to enter the UK – e.g. a Returning Resident Visa. • Family members from outside the UK & Ireland will need to apply however. <p><i>* If you have indefinite leave to remain in or enter the UK you can continue to live in the UK without applying for settled status.</i></p> <p><i>However, you can choose to change your indefinite leave to remain to settled status.</i></p> <p><i>This means you'll be able to live outside the UK for 5 years (instead of 2 years with indefinite leave to remain).</i></p> <p><i>You will not have to pay, or prove 5 years continuous residence.</i></p>
<p>Clarification on non-EU family members</p>	<p>If you're from outside the EU, you must be in a relationship with an EU citizen as their:</p> <ul style="list-style-type: none"> • Spouse or civil partner • Unmarried partner with a residence card to prove relationship <p>You can also be related to an EU citizen, their spouse or civil partner as their:</p> <ul style="list-style-type: none"> • Child, grandchild or great-grandchild under 21 years old • Dependent child over the age of 21 • Dependent parent, grandparent or great-grandparent • Dependent relative with a residence card to prove relationship <p>If non EU family member is not living in the UK by 31 December 2020, they will be able to apply to join an EU citizen here after that date if:</p> <ul style="list-style-type: none"> • EU citizen is eligible to apply • Your relationship began before 31 December 2020 and will continue when they come to the UK • They are a close family member, for example a spouse, civil partner, unmarried partner, a dependent child or grandchild, or a dependent parent or grandparent

<p>Requirements for Settled Status</p>	<ul style="list-style-type: none"> • Be an EU citizen, or a family member of an EU citizen • Have been living in the UK continuously for 5 years ('continuous residence') • Have started living in the UK by 31 December 2020 <p>Continuous Residence: you've been in the UK for at least 6 months in each of the last 5 years, except for:</p> <ul style="list-style-type: none"> • One period of up to 12 months for an important reason (for example, childbirth, serious illness, study, vocational training or an overseas work posting) • Compulsory military service of any length
<p>Requirement for Pre Settled Status</p>	<p>If you've lived in the UK for less than 5 years, you'll generally be eligible for 'pre-settled status' instead.</p>
<p>Settled Status Explained</p>	<p>Settled Status means you can:</p> <ul style="list-style-type: none"> • Stay in the UK for as long as you like • Apply for <u>British citizenship</u>, if you meet the requirements <p>Time outside UK You should be able to spend up to 5 years in a row outside the UK without losing your settled status.</p> <p>How long you can live outside the UK is still subject to approval by Parliament.</p> <p>Status of future children Any children born in the UK after you've got settled status will automatically be British citizens.</p>
<p>Pre-Settled Status Explained</p>	<p>Pre-Settled Status means you can stay in the UK for a further 5 years from the date you get pre-settled status.</p> <p>You can apply for settled status as soon as you've lived in the UK for 5 years and spent at least 6 months of each year in the UK - known as continuous residence. (You will not need to pay a further fee).</p> <p>Time outside UK You should be able to spend up to 2 years in a row outside the UK without losing your pre-settled status.</p> <p>How long you can live outside the UK is still subject to approval by Parliament.</p> <p>Status of future children Any children born in the UK after you've got pre-settled status will be automatically eligible for pre-settled status.</p> <p>They will only be a British citizen if their other parent has one of the following:</p>

	<ul style="list-style-type: none"> • British citizenship • Settled status • Indefinite leave to remain in or enter the UK • <u>Right of abode</u> in the UK
<p>Application Timing</p>	<p>The EU Settlement Scheme opened fully March 2019.</p> <p>Deadline for applying is 30th June 2021. In the event of a no deal, the deadline is brought forward to 31st December 2020.</p> <p>You may be able to apply after this date if you're joining a family member with settled or pre-settled status in the UK.</p>
<p>Application Process</p>	<ul style="list-style-type: none"> • Online or via android phone/tablet • Evidence of identity & nationality • Evidence of eligibility (e.g. residence in UK, typically via NI number) • Evidence of suitability (declaring no criminal convictions) • Decision on Settled/Pre-Settled Status & confirmation of reference number.
<p>Typical documentation needed to support application</p>	<p>Proof of Identity This will be a valid passport or national ID card, and a recent digital photo of your face. This evidence will be scanned using mobile or tablet, or posted.</p> <p>Proof of residence in the UK (unless you have a valid permanent residence document or valid indefinite leave to remain)</p> <p>If you've paid tax through work or received benefits, you can use your National Insurance number to help confirm when you've been resident in the UK.</p> <p>You'll be told if you need to give any further evidence to <u>prove your continuous residence</u>, for example:</p> <ul style="list-style-type: none"> • P60s or P45s • Payslips • Bank statements • Utility bills • Annual business accounts • Employer contracts or letters confirming employment • Letters, invoices or certificates from accredited educational organisations • Passport stamps confirming entry at the UK border • Airline or train tickets confirming travel into the UK <p>You'll be able to submit scans of these documents through the online application form.</p> <p>You will not need to provide evidence of your entire residence in the UK, only for the period that proves you're eligible for settled or pre-settled status.</p>

	<p>Criminal convictions If you're over 18 you'll be asked about your criminal history in the UK and overseas. You'll also be checked against the UK's crime databases.</p> <p>Minor crimes, e.g. speeding fine, will not impact upon eligibility for settled or pre-settled status.</p> <p>If you're from outside the EU</p> <p>Proof of your relationship to your EU citizen family member (for example, a birth, marriage or civil partnership certificate). You'll be able to scan and submit this through the online application form. You'll also need to provide evidence of your family member's identity and residence.</p> <p>You'll need to provide your fingerprints and a photo of your face at an application centre in the UK. You will not need to do this if you already have a biometric residence card.</p>
<p>Cost</p>	<p>As of 21st January 2019, the Prime Minister said there will be no application fee.</p>
<p>How it works</p>	<p>Once granted, evidence of your status will be proven through an online service.</p> <p>No physical document provided unless both of the following apply:</p> <ul style="list-style-type: none"> • You're from outside the EU • You do not already have a biometric residence card
<p>What can you do to prepare?</p>	<ul style="list-style-type: none"> • Consider when to apply. Application volumes likely to be high when scheme opens. • Consider whether you will need additional documentation to evidence your residence. If you have been employed for last five years, unlikely to need anything other than NI number. • If likely to be needed, collate documents to evidence your residency e.g. P60s; bank statements; letters from employer; utility & council tax bills. • Keep record of absences from UK. Always needed when applying for British Citizenship.

Correct as at July 2019

Please note this guidance note is produced as an aide for our clients – it does not replace detailed advice on specific circumstances. Please contact us for a detailed assessment.

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