



# WHAT DOES THE UK'S PROPOSAL ON EU NATIONALS MEAN FOR ME?

June 2017



On June 26th 2017, the British government published **a proposal**. It outlined their plan for what would happen to EU nationals in the UK after Brexit.

This proposal is part of the UK's negotiations with the EU regarding the terms on which the UK will leave the EU.



What this proposal states isn't necessarily what will actually happen.

There will very likely be many amendments and further proposals before we definitely know how EU nationals in the UK will be affected after Brexit.



**It's a starting point.**

**So what does the proposal say?**

All EU nationals who have five years' continuous and lawful residence in the UK can apply for a new status called **'settled status'**.

'Continuous' means you have been living in the UK for 5 years

...that you haven't been outside the UK during this five years for longer than six months at a time...



...& that for the five years you have been a

**“ qualifying person ”**

This means you have been either:

- employed
- self-employed
- a student
- self-sufficient

Or a combination of any of these categories

## **You must have been resident in the UK 'before a specified date'**

The proposal does not state when this date will be, but does say 'no earlier than March 29th 2017'. So if you're here, or arrive in the UK, and qualify in the categories above, before this date, you will then be able to apply for the new 'settled status'

## **If, at the 'specified date', you have not achieved the five years of residence, you can apply for 'temporary status'**

You can stay in the UK, with this temporary status, until you have accumulated the five years of residence. You will then be able to apply for 'settled status', as above.

## **The government says that applying for this new settled status will be as 'smooth and simple as possible'**

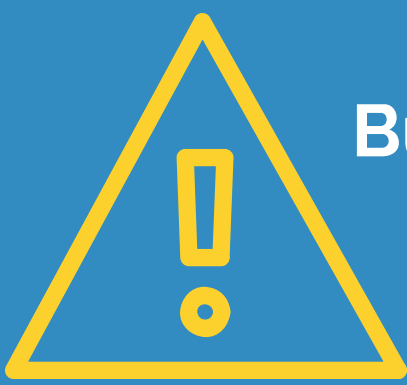
**How is this proposal different from 'permanent residence' for EU citizens?**

1. the need for Comprehensive Sickness Insurance (CSI) has been removed. This is something non-working EU citizens have to arrange, and show proof of, to obtain 'permanent residence'

2. Citizens of Ireland will not have to apply for 'settled status' - they will be entitled to live in the UK without applying for any status. This is because of laws established before the EU regarding the Common Travel Area.

**What if I have permanent residency - would I have to apply for settled status?**

Yes. And this is something which has **angered many EU citizens**, who went through the difficult process of applying for permanent residency .



But remember, this is just a proposal

Until the specified date, no earlier than March 29th 2019, the UK remains a member of the EU and EU laws, such as those that allow EU citizens to live and work in the UK, still apply.



The UK government advises, in the Proposal, that **'there is no need'** for EU nationals to apply for permanent residency now. They advise EU nationals wait and apply for 'settled status' when the negotiations are finished.

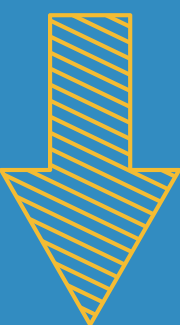
But the negotiations may take a long time and we have no way of knowing that what the government has proposed will become law.



Although it may mean making two applications, continuing to **apply for a permanent residency certificate** is the only certain way to guarantee your rights to live and work in the UK right now...



**...& may allow some EU citizens to become British citizens before the UK even leaves the EU.**



**So, for example, an EU citizen who has four and a half years towards permanent residency now**

- ➔ by January 2018 will be able to apply for permanent residency.
- ➔ One year later, in January 2019, will be able to apply for British citizenship, all before Brexit actually happens (the specified date).

This is Factsheet #2 in our series that will cover issues such as advice for employers after Brexit, advice on applying for permanent residency, and answering other questions we hear such as 'Can I get a mortgage as an EU national in the UK now?'.  
[View Factsheet #1](#)

In particular, we'll be paying close attention to how the proposal on EU citizens changes and we'll share updates on our blog and social media as this happens.



**Cromwell Wilkes Limited is a law firm offering advice and representation on Immigration Law in Hammersmith, West London. Our clients come from all over the world. We are committed to promoting the facts around Brexit and how EU nationals are affected.**

To receive all the free factsheets in the series, follow us on Facebook or Twitter below!



You can also visit our website [here](#)

**Please note: all cases are different and this factsheet aims to give a broad understanding of the facts of the law. It cannot compare with seeking independent legal advice, and we would always recommend doing this if you are unsure.**