



## Home Office begins accepting EU Settlement Scheme applications from 21 January 2019

11 January 2019

### EU Settlement Scheme

When the UK leaves the EU, EU/EEA citizens and their non-EU/EEA citizen family members will need to make an application for an immigration status to protect their ability to live and work in the UK post-Brexit, and in order to apply for British citizenship.

Following a pilot of the scheme, the Home Office will soon be opening applications for the scheme. The scheme will open fully by 30 March 2019 and applications will need to be made before 30 June 2021, subject to agreement with the EU.

There are some 3million EU nationals living in the UK, and the extent of the Home Office's ability process a large volume of applications is unknown. It is therefore possible that as time goes on, applicants could experience considerable delays.

### Settled / pre-settled status

EU/EEA citizens and their non-EEA family members who have been living in the UK for 5 continuous years already will be able to apply for 'settled status', which will also be known as Indefinite Leave to Remain. Those who have not yet been in the UK for 5 years will be able to apply for 'pre-settled status', which will also be known as Limited Leave to Remain. If you have pre-settled status, you can apply for settled status after you have lived in the UK for 5 continuous years, even if that occurs after the UK formally leave the EU.

### Application process

Applications must be made online and it will be possible to scan supporting documentation rather than sending them by post to the Home Office.

In a dramatic shift from the former permanent residence process, the Home Office will work with other departments to verify an applicant's residence in the UK where possible, for example using tax records. Applications submitted through the EU settlement scheme should therefore require less documentation than has been required for permanent residence applications. It will no longer be necessary for self-sufficient persons to supply evidence of private health insurance, just evidence of residence.

EU/EEA citizens and their family members will have until 30 June 2021 (per the draft Withdrawal Agreement) to apply through the settlement scheme.

Proof of settled or pre-settled status will only be available online. The Home Office will only issue a

document as proof of status to non-EEA citizens who do not already hold a biometric residence card.

### **Converting permanent residence to settled status**

If you are an EU/EEA national or family member of an EU/EEA national and already hold a document confirming you have permanent residence, you will need to submit an application to convert your permanent residence document into the new 'settled status'.

The Home Office have confirmed that there will be no fee for this application.

### **Applying for British citizenship**

If you hold permanent residence (or settled status), you can apply for British citizenship by submitting a naturalisation application.

You should be aware that some countries do not permit dual citizenship.

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Please contact Kathryn Bradbury or Alexander Lane either by email (at Kathryn Bradbury) or on 020 7465 4300 if you like to discuss making an application.

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