



European  
Commission

# EU Citizens' rights and **Brexit**

*Last updated on: 13 July 2017*



Neither the European Commission nor any person acting on behalf of the Commission is responsible for the use that might be made of the following information.

Luxembourg: Publications Office of the European Union, 2017

© European Union, 2017

Reuse is authorised provided the source is acknowledged.

The reuse policy of European Commission documents is regulated by Decision 2011/833/EU (OJ L 330, 14.12.2011, p. 39).

For any use or reproduction of photos or other material that is not under the EU copyright, permission must be sought directly from the copyright holders.

Print	ISBN 978-92-79-70526-7	doi:10.2775/141010	IK-02-17-811-EN-C
PDF	ISBN 978-92-79-70527-4	doi:10.2775/748214	IK-02-17-811-EN-C

*Printed by the Publications Office in Luxembourg*

*On 23 June 2016, the majority of the UK's electorate voted to leave the European Union. «Brexit» will become effective on 29 March 2019 and when the negotiations on the terms of exit have been concluded.*

*Until then, the UK remains an EU member state with all rights and obligations. It is important to note that the referendum result in itself has no immediate effect on the nationality, residence or social security status of EU citizens in the UK.*

## FREQUENTLY ASKED QUESTIONS

### **1. I am an EU national and have lived in the UK for less than five years. How can I prove that I have the right to live in the UK?**

You continue to have a right to enter and live in the UK. If you have lived in the UK for less than five years you can apply for a 'registration certificate' to confirm your right to live and work in the UK.

There is no requirement to apply, but this document can serve as proof that you are entitled to live and work in the UK. The application for a registration certificate can be submitted online or in paper form. We recommend that you use the online process, which is faster and simpler. Students and 'self-sufficient persons' in the UK must have comprehensive sickness insurance to qualify for a 'registration certificate' (see question 7 about the comprehensive sickness insurance).

### **2. I am an EU national and have lived in the UK for more than five years. Do I have a permanent right to reside?**

Yes, you automatically have a permanent right to reside if you have lived continuously in the UK for at least five years in accordance with the conditions of EU law. There is no requirement to register.

If you wish to register, you can apply at the Home Office for a 'document certifying permanent residence'. In order to do so you must show that



© Ingram Publishing

you have been living in the UK for at least five years as a 'qualified person'. You're usually a qualified person if you're an EU citizen and you're working, studying, self-employed, self-sufficient, or looking for work in the UK. Evidence for continuity of your residence may include utility bills, bank statements, council tax bills, mortgage agreements and tenancy agreements.

The application for a 'document certifying permanent residence' can be submitted online or in paper form. We recommend that you use the online process, which is faster and simpler. Students and 'self-sufficient persons' in the UK must have comprehensive sickness insurance to obtain a 'document certifying permanent residence' (see point 7).

### **3. Do I need to have permanent residency to rent a flat, apply for a job or mortgage in the UK as an EU national?**

No, you do not. As an EU national, you don't need a document to confirm your permanent residence status in the UK. What is decisive is whether you have a right of residence. The landlord, future employer or bank should not request proof of permanent residency as this may be discriminatory.



### **4. I would like to apply for British citizenship. Will I lose my other EU citizenship?**

If you would like to apply for British citizenship, check the [UK government's website](#) for more information. Individual EU countries have different rules for dual citizenship. Some countries allow dual citizenship, some do not. Check with your country's embassy whether you can have dual nationality.

### **5. I am an EU national and recently moved to the UK. Now I would like to work. Do I need a work permit?**

EU nationals do not need a work permit or any other document to work in the UK. Your passport or national ID card is sufficient to prove that you are an EU citizen. If you are a [Croatian national](#), you might need to apply for a specific document to be allowed to work in the UK.

## **6. I am an EU citizen studying at a university in the UK. Will I now have to pay higher tuition fees?**

No, for the time being EU law will continue to apply to the UK. As a student, you will still have a right to reside in the UK and there are no visa restrictions for EU students entering the UK.

The British government has confirmed that EU students entering UK universities in 2017-18 will continue to pay fees at the home rate, and will continue to have **access to student loans**. We hope this policy will remain the case for students entering in 2018-19, however this has not yet been confirmed by the government.

Only once the withdrawal agreement (which is yet to be negotiated) between the EU and the UK comes into force could the situation change.

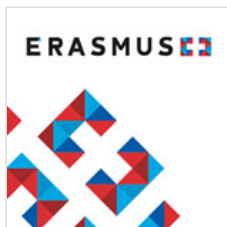


© iStock.com/pascalgenest

## **7. I am an EU student and would like to apply for a registration certificate or permanent residency. Do I need comprehensive sickness insurance?**

Yes, you do. This can be private medical insurance that covers you (and your family), or a European Health Insurance Card (EHIC) issued by an EU Member State (not the UK), or the 'S1/ S2 / S3 forms' (which prove that reciprocal arrangements are in place between the UK and your home country).

You can only rely on an EHIC if you have not come to live permanently in the UK. When submitting your EHIC, you must also submit a 'statement of intent' confirming that you do not intend to live permanently in the UK.



## **8. I am a student and would like to apply for an Erasmus+ programme. How does Brexit affect Erasmus+?**

The British Government confirmed that, while the country remains in the EU, it will retain all rights and obligations as a Member State, including the right to participate in Erasmus+.

The Erasmus+ UK National Agency published an updated statement about the status of the Erasmus+ programme.

They strongly support continued full membership of the Erasmus+ programme for the UK through to 2020. The UK Government will underwrite grant agreements for Erasmus+ signed while the UK is still a Member State. The UK's future access to the Erasmus+ programme will be determined as a part of the Brexit negotiations.



## 9. I am an EU national and will soon reach pension age. What will happen with my pension rights after the UK leaves the EU?

Pension and social security contributions are calculated on the basis of the legal provisions of EU Regulations. The UK will continue to apply these methods of calculation at least until it leaves the EU.

It is reasonable to assume that it will apply them to all contributions made before Brexit. These issues will be discussed and regulated during the two-year long Brexit negotiations.

If you are in receipt of a state pension from another EU country, you will need to check with the relevant authorities to see if they are responsible for your health costs in England. If so, you may need to apply for an S1 form in your country. Once issued, you'll need to register your S1 in England to access NHS care on the same basis as ordinary residents.

## 10. I am an EU national married to a British citizen. Will my rights change because of Brexit?

Nothing will change as long as the UK is part of the EU. If you have lived continuously in the UK for at least five years in accordance with the conditions of EU law you automatically have a permanent right to reside.

There is no requirement to register, but you can use your permanent residence document to apply for British citizenship after you've lived in the UK for 6 years. But you can apply immediately if your husband, wife or civil partner is a British citizen.



© Phovoir

## 11. I am an EU national, my spouse (family member) is a non-EU national and we live in the UK. How will my family members' rights be affected by Brexit?

There will be no change to the rights and status of non-EU family members of EU nationals while the UK remains in the EU. If you're from the EU but your family member isn't, they continue to have a right to live in the UK. Check the UK Government's official website for more information.



© Ingram Publishing

## 12. Do I still have access to free NHS treatment?

Access to free NHS treatment depends on whether or not you are «**ordinarily resident**». It does not depend on nationality, payment of UK taxes, national insurance contributions, being registered with a GP or having an NHS number.

Ordinarily resident means, broadly speaking, living in the UK on a lawful and properly settled basis. If you are ordinarily resident in the UK, you must not be charged for NHS hospital services.

## 13. I often travel from the UK to other EU countries. Are visas now required for travelling to/from the UK?

No. There are no visa requirements for EU citizens travelling between Europe and the UK. This will be subject to Brexit negotiations and may change after the UK leaves the EU.



## 14. Will I be eligible for compensation for flight delays under the current EU rules?

Regulation (EC) No 261/2004 (on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights) will be applicable to the UK for as long as the country is a member of the EU. Currently, **the regulation** is not limited to the EU. For example if your delayed flight arrives in the EU from outside the EU and is operated by an EU airline, you are entitled to compensation. The future of the regulation in terms of the UK will be subject to Brexit negotiation.

## 15. If I travel from the UK to other EU countries will I be paying mobile roaming charges after Brexit?

From 15 June 2017, EU residents travelling to any other EU member state no longer incur roaming charges while making phone calls, texting or surfing online with their mobile phone or device using their home country's SIM card.

This roam like at home principle will apply to the UK while it remains an EU member and its future will be determined as a part of the Brexit negotiations.



© Ingram Publishing

## USEFUL LINKS, QUESTIONS, COMMENTS

- This publication will be updated with the latest information about the status of EU citizens' rights in the UK as the Brexit negotiations progress.
- The EU's position on EU citizens' rights can be read here.  
[https://ec.europa.eu/commission/publications/position-paper-essential-principles-citizens-rights\\_en](https://ec.europa.eu/commission/publications/position-paper-essential-principles-citizens-rights_en)
- UK Government's position on EU citizens' rights:  
<https://www.gov.uk/government/publications/safeguarding-the-position-of-eu-citizens-in-the-uk-and-uk-nationals-in-the-eu>
- Please check the official information on the status of EU nationals in the UK:  
<https://www.gov.uk/government/collections/uk-leaving-the-eu-what-you-need-to-know#eu-nationals-living-in-the-uk>
- Many EU embassies and consulates in the UK provide information about their citizens' rights. Have a look at the website of your country's consulate in London.

Your consuls can help you answer many questions but they are not immigration experts. Immigration advisers can help you through the various steps of obtaining permission to stay in the UK, including helping you to fill in the right forms. You can find immigration advisors on the UK Government's official website.

- If you have any questions regarding these FAQs, please let us know at [COMM-REP-LON-NETWORKS@ec.europa.eu](mailto:COMM-REP-LON-NETWORKS@ec.europa.eu)

