

EEA citizens: act while you have a choice

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If you are an EEA citizen there are different ways to secure your right to live and work here. You must act before 31 December 2020, but for now you do have a choice.

This window will close when the UK leaves the EU. If you have lived in the UK for over five years you can choose to obtain Permanent Residence before you apply to the new EU Settlement Scheme*.

The different processes are currently running in tandem, and each has its advantages. But before you press that button on your computer and apply for Settled Status, ask some key questions:

- Are you or your family members interested in becoming British citizens?
- Did you live in the UK but were seconded for work or studied overseas?
- Do you want to leave the UK but secure your right to return?
- Have you been travelling outside the UK for more than six months per year?
- Were your children born in the UK?
- What are the tax implications of acquiring residency or citizenship?

If you have lived in the UK intermittently for many years you may want to rely on historic periods of residence to show that you have a right to remain here indefinitely after Brexit. Under the rules on Permanent Residence* you can backdate your residence status and immediately afterwards apply for British citizenship. But under the new EU Settlement Scheme you must usually wait 12 months before applying for British citizenship unless your spouse is British.

The EU Settlement Scheme will close on 31 December 2020, or on 30 June 2021 if a Withdrawal Agreement is approved by Parliament. However, as things currently stand, the UK could leave the EU at any time before then. At that point the regime on Permanent Residence will end, and with it the chance for many Europeans and their families to secure their future in the UK.

Next week – Advice for EEA citizens who want to move to the UK but are worried about Brexit

***What is the EU Settlement Scheme?**

Under the new Scheme, EEA nationals and their family members who have been continuously resident for five years in the UK can apply for Settled Status, allowing them to stay indefinitely in the UK. Those resident for less than five years can apply for Pre-Settled Status, allowing them to stay in the UK until they have reached the five year threshold, at which point they may be eligible for Settled Status.

***What is Permanent Residence?**

Permanent Residence is a right under EU law that is automatically acquired by EEA nationals and their family members who have lived in the UK continuously for five years working, studying or as self-sufficient people. It gives EEA nationals and their family members the right to live in the UK indefinitely.

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