



If the UK leaves the EU on 12 April 2019 (or later) with “no deal”, UK nationals will immediately become third-country (non-EU) nationals.

Brexit Overview

What Happens Next?

On 15 January 2019, and again on 12 March 2019, the UK House of Commons voted overwhelmingly against the Withdrawal Agreement negotiated between the UK government and the EU.

On 21 March 2019, the EU Council granted the UK an extension of the Article 50 period to 22 May 2019, to allow necessary withdrawal legislation to pass, if the Withdrawal Agreement is approved by the House of Commons at a third attempt in the week beginning 25 March 2019.

If the deal is again rejected in that week, Article 50 will be extended to 12 April 2019.

There are still several possible outcomes:

1) The deal might be approved in the week beginning 25 March 2019, so that an orderly Brexit can occur on 22 May 2019, before the scheduled European Parliament elections.

2) The deal might not pass parliament (again). In this case:

There could be a “no deal” Brexit on 12 April 2019; or






The UK government could ask for a longer extension of the Article 50 period in order to organise a general election or a ratifying referendum; or

The UK government may unilaterally revoke article 50, effectively cancelling Brexit.

If the UK leaves the EU on 12 April 2019 (or later) without a ratified Withdrawal Agreement, then UK nationals will become third-country (non-EU) nationals immediately.

Here we look at possible outcomes for EU and British citizens, with and without a ratified Withdrawal Agreement (“Deal” or “No Deal”).

Quick Guide – How Will Brexit Impact Your Employees?

	DEAL		NO DEAL	
	EU in UK	UK in EU	EU in UK	UK in EU
Resident Before Brexit (Current Resident) 	Register by end June 2021 under EU Settlement Scheme.	Register by 31 Dec 2020 under national schemes.	Register by 31 Dec 2020 under EU Settlement Scheme.	National transition schemes in place for registered residents. [See table on next page]
Non-EEA Dependents Of Residents 	Those in relationship before 1 Jan 2021 can join at any future date.	Register as family of EU nationals; no more action required.	Family members in a relationship with an EU citizen by Brexit day will be able to join those with settled status within 3 years.	National transition schemes in place for registered residents. [See table on next page]
New Arrivals 	1) Arrival until 31 Dec 2020, treated as Current Residents – register by end June 2021 under EU Settlement Scheme. 2) Arrival from 1 Jan 2020, future scheme applies.	1) No change by 31 Dec 2020. 2) From 1 Jan 2021, subject to new immigration scheme in each country.	1) Arrive by 31 Dec 2020 a. <3 months can enter, stay, work, study visa-free; b. >3 months, apply for temp. leave to remain (can work/study). 2) From 1 Jan 2021, apply under future immigration system.	Will be treated as 3 rd country nationals and will be subject to current immigration scheme of each country.
Non-EEA Dependents Of New Arrivals 	1) If in relationship before 31 Dec 2020 with an EU citizen who entered before 31 Dec 2020, can join at any future date. 2) Otherwise, subject to a future immigration scheme.	Non-EEA family members in a relationship with a UK citizen who arrives after 31 Dec 2020 will be subject to a future immigration scheme.	1) Arrival until 31 Dec 2020, must apply in advance for family permit. 2) From 1 Jan 2021, must apply for leave to remain under future immigration system.	Transition schemes in place for registered residents. [See table on next page]
Cross-Border Commuters 	No change until 31 Dec 2020; possible new immigration scheme thereafter.	No change until 31 Dec 2020; possible new national immigration schemes introduced thereafter.	1) Until 31 Dec 2020: a. <3 months can enter, stay, work, study visa-free; b. >3 months, unknown; 2) From 1 Jan 2021, unknown.	Subject to 90-day/180-day Schengen Rule. May require work authorisation (depending on national rules for cross-border work).

No Deal Transition Timetable – UK Nationals in the EU

Country	Apply Within (Months)	
Germany	3	Apply for new documents within 3 months
Austria	6	Apply within 6 months of “no deal” Brexit
Lithuania	9	Transitional period of 9 months
Luxembourg	9	Apply for new residence permit before 31 Dec 2019 (will need it before 30 Mar 2020)
Romania	9	Applications for new status by end of Dec 2019. Registration possible till June 2019
Greece	10	Apply for new documents after 1 Jan 2020
Croatia	12	Existing residence docs recognised for up to 1 year after new Act enters force
France	12	Transition between 3 and 12 months; pending decree
Netherlands	12	Transition till 1 Jul 2020; registered residents invited to apply by 1 April 2020
Poland	12	Transitional period of 1 year during which 3 yr residence permits can be obtained
Sweden	12	Transitional period of 1 year
Finland	21	Transition till end of 2020; those not registered have 90 days to apply
Belgium	21	Transition for existing, registered residents till 31 December 2020
Bulgaria	21	Transition for existing, registered residents till 31 December 2020
Czech	21	Transition till end of 2020 to apply for new residence permit
Denmark	21	Transitional scheme for undetermined period
Hungary	21	New legislation being developed; existing registration/residence docs required
Italy	21	Transitional period but legislation not finalised
Latvia	21	Transition till end of 2020, new applications will be required after Brexit
Portugal	21	Transition till end of 2020; apply for residence permit during this time
Slovakia	21	Working on legislation; status to be preserved
Spain	21	New status should be applied for by 31 Dec 2020
Cyprus	n/a	Residence docs valid till replaced; unilateral implementation of Withdrawal Agreement
Estonia	n/a	Existing documents valid till expiry. New residence cards issued from 1 April 2020
Ireland	n/a	Nothing required due to 1949 Ireland Act
Malta	n/a	New residence permits valid for 10 years will be issued free of charge
Switzerland + EEA	n/a	Existing documents remain valid

What You Can Do Now



Make sure all UK employees and their family members residing in an EU member state have **submitted EU registration applications before 12 April 2019.**



Tell UK employees resident in an EU member state to **start preparing documents in support of immigration applications**, for example: copies of passport data pages, marriage and birth certificates for accompanying family members, employment contracts or assignment letters, CV/resume, current job description, educational certificates, police clearance certificates, rental contract, proof of health insurance and payslips.



If possible, **bring any UK to EU move start dates forward** to before 12 April 2019.



Be prepared for possible extensive immigration application requirements for UK nationals moving to the EU, from 12 April 2019 if we reach a “No Deal” situation.