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Brexit Overview

What Happens Next?

On 25 November 2018, the EU and the UK government endorsed a draft Withdrawal Agreement and an outline Political Declaration on the future relationship.

However, the House of Commons rejected the agreement, and on 21 March 2019, an extension of the Article 50 period was granted. On 10 April 2019, the EU and the UK agreed a new extension of the Article 50 period, until 31 October 2019.

There are still several possible outcomes:






1. The UK and the EU could ratify the Withdrawal Agreement by 31 October 2019. In this case, the UK would **leave the EU in an orderly manner** on the first day of the month following ratification; or
2. There could be a **no-deal Brexit** on 1 November 2019, if the UK fails to ratify the withdrawal agreement by 31 October 2019; or
3. The UK and the EU could agree **another extension** of the Article 50 period before 31 October 2019; or
4. The UK government could unilaterally **revoke Article 50**, effectively cancelling Brexit.

If the UK leaves the EU without a ratified Withdrawal Agreement, UK nationals will become third-country (non-EU) nationals immediately.

What You Can Do Now

- ✔ Ensure all UK employees residing in an EU member state, and EU citizens resident in the UK, and their family members, have submitted **registration applications** (where applicable) by Brexit day;
- ✔ Affected employees should **begin gathering documents in support of possible future immigration applications**;
- ✔ Be prepared for more complex immigration application requirements in any post-Brexit scenario and, if possible, bring forward any planned assignments between the UK and the EU;
- ✔ Contact a Newland Chase immigration specialist for case-specific advice.

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 	<ol style="list-style-type: none"> 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. 	<ol style="list-style-type: none"> 1) No change by 31 Dec 2020. 2) From 1 Jan 2021, subject to new immigration scheme in each country. 	<ol style="list-style-type: none"> 1) Arrive by 31 Dec 2020 – can stay, work, study visa-free and can apply for 3-year temp. leave to remain. 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 	<ol style="list-style-type: none"> 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.	<ol style="list-style-type: none"> 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. 	Will be treated as 3 rd country nationals and will be subject to current immigration scheme of each country.
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.	<ol style="list-style-type: none"> 1) Until 31 Dec 2020, can enter, stay, work, study visa-free and can apply for 3-year temp. leave to remain 2) From 1 Jan 2021, unknown. 	Subject to 90-day/180-day Schengen Rule. May require work authorization (depending on national rules for cross-border work).

No-Deal Transition Timetable – UK Nationals in the EU

Country	Apply Within (Months)	
Austria	6	Apply within 6 months of no-deal Brexit
Lithuania	9	Transition period of 9 months
Romania	9	Applications for new status to be made within 9 months after Brexit (TBC)
Luxembourg	12	Apply for residence permit within 9 months of Brexit (needed from 12 months after)
Croatia	12	Residence docs recognised up to 1 year after new Act enters force (or expiry, if sooner)
France	12	12-month transitional scheme; apply for new residence permits within 6 months
Sweden	12	Transitional period of one year
Poland	14	Transitional period until end 2020; apply for new residence permit
Greece	14	Transition period until end December 2020. New arrivals until this date protected
Finland	14	Transitional measures until end of 2020
Belgium	14	Transitional period for existing, registered residents until 31 December 2020
Bulgaria	14	Transitional period for existing, registered residents until 31 December 2020
Czechia	14	Transitional period until end of 2020 to apply for new residence permit
Cyprus	14	Transitional period until end 2020
Latvia	14	Transitional period until end of 2020, new applications will be required after Brexit
Portugal	14	Transitional period until end of 2020, during which must apply for residence permit
Slovakia	14	Transitional period for existing, registered residents until 31 December 2020
Italy	14	Transitional period until end of 2020 to apply for new residence permit
Netherlands	15	15-month transition period; apply for new residence doc within 28 days of invitation
Spain	21	New residence status should be applied for within 21 months
Hungary	36	Transition period of 3 years, in which to apply for national perm. residence permit
Malta	Depends	Existing documents valid until expiry. New 10-year residence permits issued for free
Estonia	Depends	Existing documents valid until expiry. New residence cards issued from 1 April 2020
Germany	?	Transitional period but legislation not finalised
Denmark	?	Transitional period but legislation not finalised
Ireland	N/A	Nothing required due to 1949 Ireland Act
EEA + Switzerland	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 Brexit day.**



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 Brexit day.



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