

RESIDENCE PROCEDURES FOR UK NATIONALS IN EU MEMBER STATES UNDER THE
WITHDRAWAL AGREEMENT



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RESIDENCE PROCEDURES FOR UK NATIONALS IN EU MEMBER STATES UNDER THE WITHDRAWAL AGREEMENT

The Withdrawal Agreement protects the rights of UK nationals who made use of the freedom of movement of people in the EU before the end of the transition period.

- UK nationals who are resident in an EU member state, as well as those employed locally in but resident outside an EU member state (frontier workers), before the end of the transition period continue to be protected after the transition period.
- Residence rights apply to UK nationals who are workers or self-employed, or are enrolled as a student with health insurance, or have sufficient resources and health insurance, or are family members of someone who meets these conditions, or are permanent residents.
- Those who have not yet lived in the host state for at least five years and therefore have not yet acquired permanent residence status, can continue residing in the host state and acquire permanent residence after five years of residence.
- These residence rights cease after a leave of absence of more than five years.
- The right of residence is only valid in the country of residence.
- Qualifying frontier workers can obtain a document certifying their status and recognising their right to work in the state of work.
- Separate agreements with Switzerland and with Iceland, Liechtenstein and Norway mirror the citizens' rights provisions in the Withdrawal Agreement.

EU member states may require resident UK nationals to register or apply for a residence document. Details vary between countries. Please see the requirements and procedures for each country below.

With the complex, fast-changing nature of Brexit, and the potential impact on employers, Newland Chase has formed a dedicated Brexit Team to address employers' concerns and support them throughout this turbulent time. [Contact us to schedule a consultation](#) to learn how having Newland Chase as your trusted business advisor can help your business succeed post-Brexit.

AUSTRIA

- Effective 1 January 2021, UK nationals and any third-country family members resident in Austria are required to apply for a residence permit “Article 50 TEU”.
- Applicants must be employed or be able to afford their stay in Austria without receiving social welfare benefits, and have comprehensive health insurance.
- German language skills are not required.
- Applications can be submitted until 31 December 2021.
- Applications must be submitted in person to the competent authority, which may require an appointment. Fingerprints will be taken.
- The residence permit “Article 50 TEU” will be in credit card format, valid for five years (ten years if already holding a permanent right of residence).
- British nationals who have exercised their right to reside or to work as frontier workers in Austria before the end of 31 December 2020 and continue to do so thereafter, will enjoy unrestricted access to the Austrian labour market on the basis of the Withdrawal Agreement.
- Posting permits or work permits may be issued without a labour market test for cross-border supply of certain services by highly qualified legal advisors, taxation advisors, accountant and bookkeepers, travel agents and tour operators (including certain tour managers) up to six months within a twelve-month period.
- Business visitors employed in senior executive positions of UK companies are not required to hold labour market authorisations to perform activities for setting up an enterprise in Austria for a duration of up to 90 days within a 180-day period.

BELGIUM

- Effective 1 January 2021, British nationals (and their family members) who were already resident in Belgium before 31 December 2020, and UK frontier workers working in Belgium before 31 December 2020, can apply for a status of beneficiary of the Withdrawal Treaty.
- British nationals and their family members already residing in Belgium (including those who already hold a valid residence document (annex 8, 8bis, E, E+, F, F+ card) or a document for local border traffic (annex 15) will be invited by letter to apply for a new status.
- The application deadline is 31 December 2021.
- Those who do not yet have a valid residence document follow a slightly different procedure, almost identical to the one applicable to EU citizens.
- On submission, applicants will receive a temporary certificate of application covering all their residence rights until a decision has been made.
- A new electronic residence card (M card) or a new electronic card for local border traffic (N card) for beneficiaries of the Withdrawal Agreement will be issued (valid for five years).
- Those with a permanent residence right will receive a new electronic residence card (M card) valid for ten years.
- Until 31 March 2022, applicants can also continue to use their former valid residence document (E/E+/F/F+) in Belgium pending the submission of their application and a decision. These former residence documents will be proof that they are protected under the Withdrawal Agreement during the application period, but they do not cover any rights reserved to EU citizens.
- After 31 March 2022, all former residence documents will automatically lose their validity but applicants can continue to use the certificate of application for beneficiaries of the Withdrawal Agreement until a decision has been taken
- On entry to Belgium, beneficiaries of the Withdrawal Agreement will need to present both a valid ID and their certificate of application, M/N Card or (until 31 December 2021 their former residence document.
- Beneficiaries of the Withdrawal Agreement automatically have unlimited access to the Belgian labour market. The certificate of application and the new electronic cards (M/N card) will specify this.

BULGARIA

- EU residence documents that expired between 13 March 2020 and 31 January 2021 were automatically extended for six months as a COVID-19 measure.
- UK nationals already resident in Bulgaria before 1 January 2021 and who wish to remain should apply for a Withdrawal Agreement residence document in person at the respective Migration Office before the expiry date of their EU registration document or by 31 December 2021, whichever is earliest.
- Those who arrived during the transition period must visit the Migration Office within three months of their entry to apply for a Withdrawal Agreement residence document.
- Those who already have resided in Bulgaria for at least five years must, no more than three days before their long-term or permanent residence permit expires, or before the end of the year (whichever is earliest), submit an application to obtain or renew their permanent residence permit.

CROATIA

- Applications to register residence status under the Withdrawal Agreement can be submitted at a police office between 1 January 2021 and 30 June 2021.
- It will still be possible to submit applications after this deadline, however, the beneficiaries of the Agreement who do so might be fined for an administrative offence.
- Previously-issued residence permits will cease to be valid on 1 January 2021.
- UK nationals and their family members who lived in line with free movement rules in the Republic of Croatia and continue to do so, but never registered their residence status and are not holders of registration certificates or residence cards issued under free movement rules; will need to submit documentary evidence of their residence in the Republic of Croatia.
- Where a UK national and their family member who are Withdrawal Agreement beneficiaries have been continuously resident in the Republic of Croatia for five years, they will be eligible for permanent residence and a subsequent residence document evidencing this. Once acquired, the right of permanent residence shall be lost only through absence for a period exceeding five consecutive years.
- Frontier workers will be able to apply for the issuance of a document confirming their right of a frontier worker.

CYPRUS

- UK nationals and their family members and other persons residing in Cyprus are not required to apply to replace their pre-existing residency documents (MEU1, MEU2 or MEU3) in order to obtain new residence documents.
- For UK nationals who are in scope, and who can provide documentary evidence of their residency in Cyprus prior to the end of the transitional period, there is no deadline for the submission of residency applications within the new process.
- Those UK nationals and their family members who have residence rights under the Withdrawal Agreement, but did not apply for residence documents by the end of the transition period continue to have the right to apply within a new procedure, provided they can submit documentary evidence of their residency prior to the end of the transitional period.
- Residence documents issued to eligible persons after the end of the transition period will include a statement that the document has been issued in accordance with the Withdrawal Agreement. These documents are:
 - Residence Document (MUKW1) for UK nationals and family members who are also UK nationals - valid for ten years.
 - Residence Document (MUKW2) for non-UK nationals' family members - valid for five years.
 - Permanent Residence Document (MUKW3) for UK nationals and family members also UK nationals or for family members who are non-UK nationals - valid for ten years.

CZECH REPUBLIC

- Existing residence rights arising from the Withdrawal Agreement will be maintained for the United Kingdom (UK) citizens who have legally resided in the territory of the Czech Republic before 1 January 2021. Legal residence under the Withdrawal Agreement applies to UK nationals who have legally resided in the territory of the Czech Republic before 1 January 2021.
- This can be proven primarily through a certificate of temporary residence, or permanent residence permit, issued before 1 February 2020, or a residence document issued after 1 February 2020 in the same format, with an "EU Withdrawal Agreement" stamp.
- Those residing legally without a residence document after 1 January 2021 can still apply for one after 1 January 2021 to prove their legal stay before 1 January 2021.
- Holders of residence documents proving residence before 1 January 2021 must apply for a new biometric card within one year of its introduction.

DENMARK

- All British citizens and their family members residing in Denmark must apply for a new residence document. The issuance of this document is a precondition for maintaining a right to work and reside etc. in Denmark. This also applies to persons with permanent residence rights in Denmark. Existing rights with regard to residence, work etc. are maintained, while the application is being processed.
- Residence documents that have been issued in accordance with the EU rules on free movement will continue to be valid as documentation for residence rights until a new residence document is issued. This also applies to holders of residence documents of older age, e.g. document issued to a citizen of an EC Member State.
- Applications for a residence document under the Withdrawal Agreement must be submitted before 31 December 2021 at the latest. Applications are to be submitted to the Agency for International Recruitment and Integration (SIRI).
- The new residence document serves as proof that the holder has a right of residence under the Withdrawal Agreement. SIRI will issue the new residence documents without fees or other costs for the applicant.
- The documentation required for the issuance of the new residence documents overall corresponds to the documentation required under the EU free movement rules – e.g. proof of right of residence as a worker, student, person with sufficient funds etc. and proof of residence in Denmark before the end of the transition period.
- British citizens living in Denmark and having obtained a Danish CPR-number should have received a letter from SIRI via e-Boks in November 2020 with information on the new application procedure.
- A residence document issued under the Withdrawal Agreement only grants residence rights in the EU state of issuance, in this case Denmark. However British citizens will be exempted from short stay visa requirements when travelling in the Schengen-area for up to 90 days.
- Until the new residence document is issued, it is recommended to bring existing residence documents issued under EU-rules (“EU-registreringsbevis”/“EU-opholdskort”) when travelling to and from Denmark in order to prove a residence right beyond 90 days for the purpose of border checks.
- Frontier workers, who are working in Denmark, but living in another country when the transition period ends, must also apply for a document which proves their continued right to work in Denmark. Until the document has been issued, frontier workers can use alternative documentation, such as an employment contract, to show that they were working in Denmark before the end of the transition period.

ESTONIA

- UK citizens and their family members resident in Estonia before 31 March 2021 will be able to continue to reside within Estonia on the basis of a valid ID card until its expiry, if they do not plan to travel outside of Estonia.
- From the 1 December 2020, UK citizens can exchange their current ID card for a valid residence document which will allow them to reside in Estonia as well as to travel outside of Estonia.

FINLAND

- The Withdrawal Agreement guarantees the status and rights of UK citizens living in Finland and their family members under EU law (such as residence, employment and social security) for life if they have settled in Finland before 1 January 2021 and subsequently continue to reside here.
- Even if a person does not yet have a permanent right of residence under the Withdrawal Agreement (i.e. the duration of their stay in Finland is less than 5 years), they may temporarily leave Finland without losing the rights under the Withdrawal Agreement. Temporarily leaving the country is possible for example due to work, studies, pregnancy or military service. If a person has a permanent right of residence in Finland based on the Withdrawal Agreement, they will lose that right if they remain outside of Finland for more than five consecutive years.
- UK citizens who have registered their EU right of residence in Finland have to apply to exchange their previous registration based on the right of residence in the EU for a right of residence under the Withdrawal Agreement.
- UK citizens who have been granted permanent EU residence rights in Finland before 1 January 2021 and who have a certificate demonstrating this will be able to apply to change their status to permanent right of residence under the Withdrawal Agreement. The application will be free of charge.
- If the applicant has not resided in Finland for the required period of time by the end of 2020, he or she will be entitled to continue accumulating this time after that date and to obtain the permanent right of residence under the Withdrawal Agreement later on. In this case, however, the person's existing EU right of residence will still need to be exchanged for a right of residence under the Withdrawal Agreement even where he or she will not yet have met the conditions for a permanent EU right of residence.
- UK citizens who moved to Finland from 1 October 2020 could no longer register as EU citizens, but had to apply directly for the right of residence under the Withdrawal Agreement. However, they had to apply for the right of residence under the Withdrawal Agreement by 31 December 2020,
- A residence permit card valid for five years and renewable will be issued as proof of the right of residence under the Withdrawal Agreement. The card will show that the holder is covered by the Withdrawal Agreement.
- Applications can be submitted between 1 October 2020 and 30 September 2021, online or on paper.
- All applicants must visit a service point of the Finnish Immigration Service, a Finnish mission or an application centre of an external service provider to prove their identity and present

originals of their supporting documents and their paper application (if applicable). All applicants over the age of 6 must give their fingerprints will be taken during the appointment.

FRANCE

- UK nationals and their family members (spouse, children and parents) living in France prior to 31 December 2020 need to apply by 1 July 2021 via the Interior Ministry online residence permit application service (<http://invite.contacts-demarches.interieur.gouv.fr/>).
- They will be issued with a residence permit marked “Agreement on the withdrawal of the United Kingdom from the European Union”.
- UK nationals who are lawfully residing in France before the end of the transition period and have been doing so for more than five years will be entitled to a permanent ten-year residence permit.
- UK nationals lawfully residing before the end of the transition period for less than five years will obtain a permit valid for one to five years depending on their circumstances.
- Residence permits issued in accordance with the Withdrawal Agreement will be provided free of charge.
- UK nationals over the age of 18 will be required to be in possession of a Withdrawal Agreement residence permit as of 1 October 2021, irrespective of their date of arrival in France. EU residence permits issued to UK nationals and their family members will no longer be valid from 1 October 2021.
- Applicants will need to upload a scanned copy of their passport and other supporting documents.

GERMANY

- UK nationals living in Germany on 31 December 2020 and continuing to live in Germany after that date must report their residence to the foreigners authority responsible for their place of residence by 30 June 2021 in order to be able to obtain the new residence document. Many authorities enable this to be done online. You do not need to make an application. Registration with the residents’ registration office is not sufficient.
- Those entitled under the Withdrawal Agreement will receive a card valid for a minimum of five years and a maximum of ten years. The card must be renewed when this period expires, but the residence right does not need to be renewed.
- For those certified as having a right of permanent residence, the word "Daueraufenthalt" (permanent residence) will be found on the second line on the back of the card, below "Erwerbstätigkeit erlaubt" (permitted to pursue an economic activity).
- Upon application, the foreigners authority may issue a provisional residence document (Fiktionsbescheinigung).
- Frontier workers may have rights under the Withdrawal Agreement and must apply for a special document in the form of a card from the foreigners authority responsible for their

place of work in order to continue to be able to work in Germany.

- Workers posted to Germany by a British company to provide services who have no other reason to exercise an entitlement to freedom of movement, do not fall under the Withdrawal Agreement.
- However, if they live in Germany, you may still fall under the freedom of movement legislation if they have sufficient resources, a second job with an undertaking registered in Germany of another EU member state, a course of studies at a German institution or a spouse who is a national of another EU or EEA state.
- Those who do not fall under the Withdrawal Agreement can remain in Germany until 31 March 2021 and continue to engage in their previous activity. To stay beyond this date, they must apply for a residence permit, but do not need to leave Germany or obtain a visa.
- Those posted from another EU/EEA state can continue to work as a posted worker on the basis of a “Van der Elst” visa. An application must be submitted before 31 March 2021.

GREECE

- UK nationals and their family members who are already resident in Greece and wish to remain after the end of the transition are covered by the provisions of the Withdrawal Agreement for as long as they remain resident in Greece.
- To facilitate proof of residence status under the Withdrawal Agreement, UK nationals and family members are encouraged to obtain the new residence document (biometric card).
- The application process for UK nationals and their family members to acquire the new residence document required by the Withdrawal Agreement in Greece will begin on 1 January 2021 and will provisionally end on 30 June 2021.
- Third-country nationals who enter Greece after 1 January 2021 and are family members of a UK national, beneficiary of the Withdrawal Agreement, are required to submit an application within three months from their date of arrival in the country.

HUNGARY

- From 1 January 2021, UK nationals and their family members living in Hungary before the end of the transition period – as beneficiaries of the Withdrawal Agreement – are eligible to obtain a national permanent residence permit. The new residence status is based on the documents certifying the preceding legal residence in Hungary.
- Registration certificates and permanent residence cards issued to UK nationals along with residence cards and permanent residence cards issued for third-country national family members of UK nationals are valid until 31 December 2021 at the latest.
- Hungary provides opportunity for obtaining a national permanent residence permit to those UK citizens without a registered Hungary residence who can credibly substantiate their habitual residence in Hungary for the time period preceding 1 January 2021
- The application for national permanent residence permit shall be submitted between 1 January and 31 December 2021.
- Frontier workers and self-employed frontier workers are eligible to apply for residence permits without having to prove the existence of conditions for housing, subsistence and

health insurance, for which applications shall be submitted between 1 January and 31 March 2021.

- Both applications are free of charge.
- Applications can be submitted electronically via the online platform – operated by the National Directorate-General for Aliens Policing – Enter Hungary.
- UK citizens and their third-country national family members will be issued biometric documents, accordingly, personal appearance at the competent regional directorate will be required for taking photos and fingerprinting. In case the application is submitted electronically, Enter Hungary sends out a notification to the applicant with relevant information and steps to follow
- A national permanent residence permit provides permanent resident status and the person shall have the right to reside in the territory of Hungary indefinitely. The validity period of a national permanent residence permit is five years which the immigration authority may extend by an additional five years upon request.
- The application for national permanent residence permit shall be examined by the competent authority within 30 days.

ICELAND

- UK nationals who have registered their right of residence at Registers Iceland (Þjóðskrá Íslands) before the end of the transition period (31 December 2020) will not need to meet any new requirements in order to retain their right of residence.
- Iceland will be issuing a residence permit card for British citizens who live in Iceland or move to Iceland before the end of the transition period that they can apply for. The application procedure for the residence permit card is being prepared and due to be introduced in January 2021.
- UK nationals who have not yet registered their right of residence in Iceland with Registers Iceland will have to provide proof that they moved to Iceland before the end of the transition period and that they qualify for residence under the EU Free Movement Directive.
- For UK nationals who have registered their right of residence, will retain the right to family reunification that they had under EEA legislation, provided that the family relationship was established before the end of the transition period, by 31 December 2020. This also applies to children born or adopted after the end of the transition period.
- Frontier workers employed in Iceland, since before 31 December 2020, who return each day or at least once a week to the United Kingdom, and do not have a registered domicile in Iceland, will need to contact the Directorate of Immigration for registration.

IRELAND

- Under the Common Travel Area (CTA), Irish and UK nationals move freely and reside in either jurisdiction and enjoy associated rights and entitlements including access to employment, healthcare, education, social benefits, and the right to vote in certain elections.
- UK nationals do not need to take any action to protect their right to live in and move freely within Ireland.
- Non-EEA family members of UK nationals living in Ireland before the end of the transition period must, by the end of 2021, apply to exchange their current valid Irish Resident permit (IRP) for a new one stating that their residence rights derive from the Withdrawal Agreement.
- Non-EEA family members of UK nationals who want to come to live in Ireland after the transition period ends will have to apply for permission to do so. Immigration Services Delivery have published details of a separate pre-clearance scheme that should be used for this purpose.

ITALY

- Since 1 January 2021, UK nationals and their family members legally resident in Italy before 31 December 2020 are required to apply for a biometric residence permit from the competent Police Headquarters that has jurisdiction over their address of residency.
- They must first hold a special Town Hall Enrollment Certificate for UK nationals (“Attestazione iscrizione anagrafica cittadini britannici”) released by the Municipality where they reside. This certificate confirms their rights under the Withdrawal Agreement.
- The applicant must submit all required supporting documents at the Post Office along with evidence of payment of the €30.46 Residence Permit fee. The applicant will then be fingerprinted and given a receipt confirming submission of the Residence Permit application.
- The applicant will be invited for the collection and activation of the Residence Permit Card.
- Those resident in Italy for less than five years will receive a five-year permit, while those resident in Italy for five continuous years or more will receive a ten-year permit.
- So far, no deadline has been confirmed for the submission of this application, although it is strongly advised to apply before 30 June 2021, which is the earliest possible deadline permitted by the Withdrawal Agreement.

LATVIA

- UK nationals and their family members who are residing in Latvia since at least 31 December 2020 and who wish to continue residing in the Republic of Latvia must submit, before 30 June 2021, an application to the Office of Citizenship and Migration Affairs (OCMA) and obtain a new residence permit.
- The OCMA began accepting applications from 1 October 2020 and the issuance of documents begins in January 2021.

LIECHTENSTEIN

- UK nationals who have been living in an EEA/EFTA state continuously and lawfully for five years at the end of the implementation period will have the right to reside permanently in that state.
- Those who have not yet resided continuously and lawfully for five years in their host state by the end of the implementation period will also be able to stay until they have reached the five-year threshold, at which point they will have the right to reside permanently.
- Any application process adopted by EEA EFTA states for UK nationals must be short, simple and user-friendly. The residence status shall be issued free of charge, or for a charge not exceeding that imposed on citizens or nationals for the issuing of similar documents, for example a national identity card or passport. The right to reside permanently in the host state can only be lost through an absence from the country of more than five years unless it is restricted due to a person's conduct.
- Workers and self-employed persons, including frontier workers, will be guaranteed broadly the same rights as they currently enjoy. They have a right to not be discriminated against due to nationality, and the right to equal treatment with host state nationals. For example, equal treatment in respect of the right to pursue economic activity, the right to employment assistance, conditions of employment, the right to tax and social advantages, collective rights, access to housing and the right for their children to receive an education.

LITHUANIA

- UK nationals and their family members who have acquired the right of temporary or permanent residence in Lithuania as EU citizens before 1 January 2021 and intend to continue residing in Lithuania are advised to apply online for a temporary or permanent residence permit.
- Qualifying non-EU family members must apply for their temporary residence permit within three months from the end of the transition period.
- Qualifying non-EU family members who are not already resident in Lithuania can join the resident UK national at any time and obtain a temporary or permanent residence permit under the same conditions as the resident UK national.
- Qualifying non-EU family members include:
 - a spouse or a person with whom a registered partnership has been contracted before the end of the transition period;
 - children and adopted children under the age of 21, including children and adopted children

of the spouse or registered partner, including those born or adopted after the end of the transition period;

- parents and grandparents, including parents and grandparents of the spouse or registered partner.
- A temporary residence permit will be granted, free of charge, within one month of online application, with a validity of five or ten years.

LUXEMBOURG

- UK nationals as well as their family members who fall within the scope of the Withdrawal Agreement have the same rights as EU citizens and their family members and keep these rights even after the end of the transition period provided for in the Withdrawal Agreement.
- Those covered by the Withdrawal Agreement will need to apply for a specific residence document, which certifies their status as beneficiaries of the Withdrawal Agreement.
- Applications for a new residence document must be submitted within six months of the end of the transition period provided for in the Withdrawal Agreement, i.e. 31 December 2020 - so no later than 30 June 2021.
- Applicants must fill in and sign a residence document application form and send it by post to the [Immigration Directorate of the Ministry of Foreign and European Affairs](#).
- To facilitate the processing of applications, all members of the same family (e.g. spouses and children) are asked to submit their residence permit applications together, at the same time.
- Applications are processed in order of receipt.
- When their application has been processed, applicants will receive a letter inviting them to make an appointment with the Immigration Directorate of the Ministry of Foreign and European Affairs in order to have their photograph and fingerprints taken, which will be incorporated into the residence permit. The applicant may also bring a recent photograph compliant with OACI/ICAO standards ('biometric passport standards').
- A few days after the biometric data have been collected, the applicant can pick up the residence permit in person at the Immigration Directorate, by appointment.
- The residence document takes the form of a chip card containing biometric data.
- It will be valid from the first day after the end of the transition period - in principle, then, from 1 January 2021. The duration of validity of the residence document varies according to the type of document it replaces (either five or ten years).
- As long as the conditions for obtaining the residence document continue, it will be renewable on request.
- Current residence documents (registration attestation, permanent residence certificate, residence permit for family members of an EU citizen, permanent residence permit for family members of an EU citizen) will remain valid until:
 - the **end of the transition period**; or
 - their **new residence document is issued**, for those people who have not received their new residence document by the end of the transition period.
- Qualifying family members of a UK national beneficiary of the Withdrawal Agreement, coming to Luxembourg to settle after 1 January 2021, are also beneficiaries of the Withdrawal Agreement.
- In order to assert their rights under the Withdrawal Agreement, the persons concerned

must have a residence document certifying their status as beneficiaries of the Withdrawal Agreement.

- The application to obtain the new residence document must be submitted no later than three months after arrival in Luxembourg.
- UK nationals who are employed or self-employed as **cross-border workers** in Luxembourg at the end of the transition period (31 December 2020) provided for in this Withdrawal Agreement, retain their right to work as cross-border workers after the end of the transition period.
- In order to attest to this status, the UK nationals concerned may apply for a specific document to be issued after the end of the transition period.
- This document, valid for ten years and renewable on request, will be issued only on request, from 1 January 2021. It is not a compulsory document and is not a prerequisite for continuing to work in Luxembourg as a cross-border worker.

MALTA

- UK nationals settling in Malta prior to the last day of the transition period may apply for their new residence status after three months of their arrival in Malta and before 30 June 2021.
- Applicants will be required to personally submit their application by calling at Identity Malta's Expatriates Unit EU Section in Valley Road, Msida on the dates indicated in the letter they will be receiving. Applicants residing in Gozo would need to apply at the eResidence Unit, St. Francis Square, Victoria, Gozo.
- This new Withdrawal Agreement residence document will be valid for ten years, and renewable thereafter by further application, as long as the conditions under which the Residence Document was issued, continue to subsist.
- Existing residence documents remain valid until the new residence document is issued.
- UK frontier workers who, prior to the end of the transition period, were employed or self-employed in Malta whilst still residing in the UK, to which they returned at least once a week as a rule, need to apply for the relative frontier worker document in order to continue with such activity.

NETHERLANDS

- UK nationals and their family members already living in the Netherlands before 1 January 2021 need a residence document to prove they are entitled to continue to live in the Netherlands under the Withdrawal Agreement.
- Applications should be submitted online as soon as possible, and anyway by 30 June 2021.
 - Those who have been living in the Netherlands for less than five years can apply for a residence document for temporary residency.
 - Those who have been living in the Netherlands for over five years consecutively can apply for a residence document for permanent residency.
 - Applicants need to make an appointment online to have their biometrics taken.
- By the end of 2020, all UK nationals living in the Netherlands who had a permanent EU residence document had been offered a new residence document.

- Family members of UK nationals covered by the Withdrawal Agreement can travel to the Netherlands under the applicable provisions after the transition period. It is possible that they first need to apply for a facilitation visa. UK national residents under the Withdrawal Agreement can apply for a residence document for their family members after they enter the Netherlands.

NORWAY

- British nationals resident and working in Norway before 31 December 2020 will still have the right to live and work in Norway after 31 December 2020 subject to the limitations noted below.
- The Norwegian Directorate of Immigration (UDI) has created a new application procedure for UK citizens that reside or move to Norway before 31 December 2020 to allow them to live and work in Norway after the transition period without disruption.
- The application procedure is expected to be open from 4 January 2021 with a requirement for British nationals to have completed the application process by 31 December 2021.
- Applicants must be employed, self-employed, a student or self-funded.
- UK national **assignees** or UK resident/employed third-country national assignees (i.e. individuals employed by entities outside Norway and on assignment as opposed to local hires) who started their assignment before the end of the transition period, are **not eligible** for the Withdrawal Agreement rights even if they have obtained an EEA registration certificate or EEA residence card from the Norwegian police. Therefore, if the assignees intend to stay/work beyond 31 December 2020 they will need to apply for a regular residence permit for third-country nationals before they are able to continue work in 2021 unless covered by an existing exemption relevant to third-country nationals. They can stay in Norway without working until granted the residence permit.
- This also applies to offshore workers. Assignees working on a Norwegian or foreign fixed installation on the Norwegian continental shelf will not be eligible for the new application procedure (only Local Hires). They too will need to have a regular work permit for third-country nationals before they are able to commence work in 2021 unless covered by an existing exemption relevant to third-country nationals.
- Assignees working on a Norwegian or foreign mobile installation on the Norwegian continental shelf, will be able to avail of the normal exemption from a work permit as long as the installation is not in a fixed production phase or tied/laid up to a fixed platform
- For British nationals and their family members who wish to settle in Norway after 31 December 2020, ordinary immigration regulations for third-country nationals will apply.

POLAND

- UK nationals and their family members have the right to reside in Poland after the transition period if they exercised the right of stay in Poland in accordance with EU law before the end of the transition period.
- The right of permanent stay may be granted after five years of uninterrupted residence. Periods of legal residence or work in accordance with Union law falling before and after the end of the transitional period will be included in the required period of entitlement to acquire the right of permanent residence.

- A document marked in accordance with the Withdrawal Agreement may be requested as a confirmation of the right of residence or right of permanent residence.
- Documents will be issued free of charge by voivodship offices competent for the place of stay.
- Applications must be made in person (except for applicants under the age of 6 years) and fingerprints are taken.
- Those who already have an EU certificate of registration or document confirming permanent residence should submit to the voivodship office an application for a new document before the end of 2021.
- Those who **do not have** either (a) an EU certificate of registration; or (b) a document confirming their right of permanent residence; or (c) a residence card or permanent residence card as a family member of an EU citizen, should apply to the voivodship office as soon as possible after 1 January 2021 for a document confirming their registration of stay as an EU citizen or their right of permanent residence.
- Documents issued before 1 January 2021 remain valid until 31 December 2021 at most.
- UK **posted workers** working in Poland until 31 December 2020 are outside the scope of the Withdrawal Agreement without the right to remain in the Host State based on the WA.
 - They will be able to apply from 1 January 2021 for a special temporary residence permit with five-year validity – deadline until 31 December 2021 - and afterwards a permanent residence permit.
 - Their stay will be legal ex lege until 31 December 2021.
 - They will be also exempted from the work permit requirement.
- UK national **frontier workers** are required to register their activity before 31 December 2021 and will receive a residence registration certificate containing an annotation confirming the status of frontier worker under the Withdrawal Agreement.
- Residence permits granted to **extended family members** of UK nationals remain valid after the transition period.
- They may reapply if they wish to receive a residence permit (card) with a special annotation referring to the Withdrawal Agreement.

PORTUGAL

- UK nationals resident in Portugal before the end of the transition period, and UK minors who are family members of residents, will be asked to exchange their current EU residence document for a new one that confirms their status as a resident under the Withdrawal Agreement.
- UK minors who already have their own residence document in Portugal must be registered online in their own right. UK minors who have never had a residence document in Portugal can be included in the principal applicant's application.
- Family members of UK nationals who are third-country nationals must follow the usual process of renewing their residence card.
- The online registration to exchange residence documents will be open until at least the end of June 2021, after which applicants will need to schedule an appointment directly with SEF to exchange their residence documents.
- After registering online and submitting the application, UK nationals can download digital proof of their registration – a document, with a QR code – which can be printed and used when travelling to prove residence in Portugal.

- The current EU residence documents will be accepted after 31 December 2020 and until the new residence permit is issued.
- UK national **cross-border workers** may continue their activity and apply to the competent Portuguese authority to issue a document certifying their status as a cross-border worker protected by the Withdrawal Agreement.

ROMANIA

- UK nationals and their family members who have been residing in Romania and who wish to remain in the country after the end of the transition period can apply for an extension of their temporary residence permit in Romania on the basis of the Withdrawal Agreement no later than 31 December 2021.
- UK nationals and their family who have entered Romania between 1 and 31 December 2020 can apply, within no more than 90 days after entering the country, for an extension of their temporary residence permit on the basis of the Withdrawal Agreement.
- The new temporary stay permits will be issued with a validity of five years and can be renewed at least 30 days before expiry.
- Until the new residence permits are issued under the Withdrawal Agreement, documents already issued by IGI/MOI to British citizens and their family members (registration certificate, permanent residence card, etc.) will continue to be recognised until 31 December 2021, and the validity of such documents that expire shall be extended until the same date.
- Family members who are joining the UK national beneficiary of the Withdrawal Agreement from 1 January 2021 until 30 September 2021 can apply for an extension of their right to temporary stay in Romania no later than 31 December 2021.
- Family members who are joining the British citizen, beneficiary of the Withdrawal Agreement from 1 October 2021 must apply for an extension of their right of temporary stay in Romania within no more than 90 days after the date of entry to Romania.
- UK national frontier workers with an employment permit in Romania can apply for a permit for frontier workers permitting them to enter and exit Romania for the duration of the employment contract up to five years.

SLOVAKIA

- UK nationals and their family members registered in Slovakia as EU citizens / family members of EU citizens by 31 December 2020 who had resided in the EU **for less than five years** were, on 1 January 2021, automatically granted a new residence status under the Withdrawal Agreement.
- UK nationals and their family members registered in Slovakia as EU citizens / family members of EU citizens by 31 December 2020 who had resided in the EU **for more than five years** had their residence status automatically updated and maintained in the Slovak system from 1 January 2021.
- EU residence permits issued before 31 December 2020 will remain valid until 30 June 2021.
 - By 30 June 2021, EU residence permit holders must visit the Foreign Police to apply for a new residence permit.
 - The Foreign Police will process new residence permits within 30 days of application

and no fee is paid for exchanging the EU residence permit for the relevant new document. However, it is possible to pay either for the expedited issuance of a residence permit or for delivery of a new residence permit, instead of collecting in person.

- Permanent residence permits issued for five or ten years before the end of 2020 will not need to be exchanged by 30 June 2021.
- UK nationals and their family members who have been residing in Slovakia since before 31 December 2020 but are not yet registered with the Foreign Police must apply for residency registration and proof of residence in accordance with the Withdrawal Agreement. At the time of registration, they will have to submit documents proving that they came to the territory of the Slovak Republic during the Transition Period, such as a tenancy agreement or utility bills.
- UK nationals and their family members who do not reside in Slovakia but have performed cross-border employment since before the end of the transition period, will be able to do so as before. Slovakia will not require temporary residence from such persons for the purposes of employment or any other document.
 - Those interested in obtaining a document identifying the cross-border workers' rights may request such a document at the competent department of the Foreign Police from 1 January 2021.

SLOVENIA

- UK nationals and their family members who are not EU citizens residing in Slovenia on the date of the expiry of the transition period based upon a valid residence registration certificate for an EU citizen, a residence permit for an EU citizen's family member, or a temporary residence permit for an EU citizen's family member, and who continue to reside in Slovenia after the expiry of the transition period must submit, by 31 December 2021, or before the expiry of the certificate or the permit if it expires before 31 December 2021, an application with the administrative unit where they reside for a temporary residence permit issued under the Withdrawal Agreement.
- UK nationals and their family members who are not EU citizens residing in Slovenia on 31 December 2020 **without registration** during the authorised 90-day period since entry into the country but who wish to stay in Slovenia for more than 90 days must submit an application for temporary residence under the Withdrawal Agreement with the administrative unit in the area where they reside before the 90-day period expires.
- Family members of UK nationals who are not EU citizens and to whom the Agreement applies and who on 31 December 2020 will not reside in Slovenia but who wish to **reunite** with a UK national who before the expiry of the transition period lawfully resided in Slovenia and will reside in the country also after the expiry of that period is allowed to reside also after the expiry of the transition period.
 - After the expiry of the transitional period, he or she can reside in Slovenian territory without a residence permit for three months from the date of entering the country or birth in Slovenia. If the family member wishes to reside due to reunification with a UK national in Slovenia also after the expiry of the three-month period mentioned in the previous paragraph, he or she or his or her legal representative must submit an

application for a temporary residence permit under the Withdrawal Agreement before the expiry of three months from the date of entering the country or birth in Slovenia with the administrative unit in the area where he or she resides.

- UK nationals and their family members who are not EU citizens residing in Slovenia on the date of the expiry of the transition period based upon a valid **permanent** residence registration certificate for an EU citizen or a residence permit for an EU citizen's family member, and who continue to reside in Slovenia after the expiry of the transition period must submit, by 31 December 2021, or before the expiry of the certificate or the permit if it expires before 31 December 2021, an application for the replacement of the certificate or permanent residence permit for permanent residence permit issued under the Withdrawal Agreement with the administrative unit in the area where they reside.
- During the procedure, the applicant must submit a physical or digital photograph in the prescribed size showing his or her actual image and provide two fingerprints to be recorded digitally since the new permit is issued as an independent document as a card with a biometric image of the face and two fingerprints.
- On submission of the application, the applicant will receive an acknowledgement of receipt confirming that the application has been submitted, that the applicant has fulfilled the obligation to submit an application and that they have a full right to reside in Slovenia under the Withdrawal Agreement until the application is finally processed.
- Existing temporary and permanent residence certificates and permits issued to UK nationals and their family members before 1 January 2021 are valid until 31 December 2021, or until a final decision is issued in the application procedure, or until they expire.
- UK nationals wishing to reside in Slovenia as **posted workers** after the transition period should apply for a single permit for posted workers immediately after the transition period which is issued to third-country nationals for the purpose of providing cross-border services or for training in a company in Slovenia.

SPAIN

- The Withdrawal Agreement protects United Kingdom nationals residing in Spain at the end of the transition period, as well as their third-country relatives, being members of the family before the end of the transition period (as well as future children).
- Those already holding a residence certificate or family member card of an EU citizen are not required to replace these with a new residence document, as these documents serve to prove legal residence in Spain after the transition period and to benefit from the provisions of the Withdrawal Agreement.
- However, it is highly recommended to obtain the new residence document as it is a physical card with biometric elements and explicitly mentions the status as a beneficiary of the Withdrawal Agreement. It can be used to facilitate administrative formalities and to cross the EU's external borders.

SWEDEN

- UK nationals and their family members who lived in Sweden before the end of the transition period and wish to stay must apply for residence status allowing them to continue to live, work and study in Sweden.

- UK nationals holding a certificate of permanent residence or a permanent residence card need to apply for residence status
- UK nationals with a permanent residence permit or Swedish citizenship do not need to apply for residence status, but they can do so. Among other things, residence status gives more family members the right to join the British citizen in Sweden.
- The application for residence status is open up to and including 30 September 2021.
- Children and certain family members have a possibility of applying for residence status even if they move to Sweden after the end of the transition period if they intend to join a British family member in Sweden. They must then apply for residence status within three months of arriving.
- Residence status is not limited in time, but the residence status card needs to be renewed after five years. UK nationals with residence status can apply for permanent residence status if they do not already have it.
- UK nationals who at the end of the transition period and in continuation live in another country but are employed or self-employed in Sweden (frontier workers) do not need to apply for residence status, but have the right to receive a certificate confirming their status as a frontier worker.

SWITZERLAND

- UK nationals living in Switzerland with a residence permit issued under the Agreement on the Free Movement of Persons (AFMP) by 31 December 2020 do not generally need to take any further action. They might be called upon to replace their current permit with another one; if not they must simply apply for a new permit with the cantonal immigration and labour market authorities before the existing one expires, as usual. As regards their social security rights, including access to healthcare entitlements, these are guaranteed.
- UK nationals in possession of a permanent residence (C) permit do not need to take any action either.
- Self-employed UK nationals established in the United Kingdom or employees posted by their employers established in the United Kingdom may provide a service in Switzerland without requiring a work permit for a maximum duration of 90 days per calendar year, but have to notify their stay under the online notification procedure.
- UK nationals who currently have a cross-border commuter permit and live in the UK or in a country that is not in the Schengen Area (Bulgaria, Cyprus, Croatia, Ireland, Romania) should contact the local cantonal authorities about obtaining a new permit.
- After 31 December 2020, UK nationals who commit a criminal offence will be subject to the provisions of the Foreign Nationals and Integration Act (FNIA), as is the case for non-EU/EFTA nationals. On conviction, the provisions with regard to expulsion apply.
- Five years after the AFMP ceases to apply, which means after 31 December 2025, the reunification of future spouses will be regulated by the provisions of the FNIA. These provisions are somewhat stricter than the terms of the AFMP. For example, a person must prove that they have sufficient financial means to pay their own and their family members' living expense.