

LIRA'S IMMIGRATION CORNER

Important Deadline for EU nationals in the UK 30 June 2021

BREXIT MEANS that EEA citizens are now required to comply with Immigration Rules to remain legally in the UK. Beware that you will only qualify if you were already living in the UK by the **31st of December 2020**. There are important and fast approaching deadlines for those affected and this article will explore who are affected by the changes, what steps they should take and what is needed to satisfy the relevant rules.



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is a separate agreement between the UK and Ireland giving nationals of both countries' free movement irrespective of Brexit. The Common Travel Agreement predates the UK joining the EU and will continue to apply after Brexit.

EU family members (spouse / partner, children, parents, grandparents) who have been living in the UK by the 31st of December 2020 are also required to apply. It should be noted that if you are an EEA family member living abroad you may still be able to join your EEA family member provided, they have been living in the UK by the 31st of December 2020.

What do you need to do?

You must apply under the EU Settlement Scheme (EUSS) for settled or pre-settled status **BEFORE the 30th of June 2021**. If you miss the deadline, you will be considered an overstayer and your immigration status will be prejudiced.

If you have been living in the UK for a minimum period of five years your application will be for settled status. Anything less than five years will be an application for pre-settled status. In immigration terms settled status means you will have Indefinite Leave to Remain (ILR), and pre-settled status is Limited Leave to Remain (LTR).



The process is summarised below:

1. You must apply before the 30th of June 2021.
2. You will need proof of your identity such as a valid passport or a valid national ID card.
3. You need to prove your residence in the UK. You will be asked to provide your national insurance number. Checks will be carried out against your national insurance number and if there is sufficient data to show that you have been resident in the UK before the 31st of December 2020 for either five or less years you will be granted either settled or pre-settled status.
4. If checks against your national insurance number does not provide enough information, you will be asked to submit additional evidence of your residence in the UK before the 31st of December 2020. Evidence can include bank statements, tenancy agreements and utility bills.
5. The application is submitted online.
6. There is no fee for the application.

Family members of EEA citizens

For family members of EEA citizens already in the UK the above process also applies but, additionally, they will need to provide proof (e.g. marriage or birth certificates) of their relationship with the EEA citizen. They will also be required to provide information about their EEA family member.

What are you granted?

Settlement status under the EUSS means you have Indefinite Leave to Remain and are no longer subject to a time limit on how

long you can stay in the UK. You will have the right to work and study without requiring a separate permission.

If you are granted pre-settled status, you will have Limited Leave to Remain. You can work and study without the need for a separate permission, but your leave (visa) will expire at a certain date. Once you have completed five years residency in the UK you may then apply for Indefinite Leave to Remain. You can apply for Indefinite Leave to Remain as soon as you satisfy five years' residence in the UK, which means you can apply before the expiration of your visa.

Result of your application

If your application is successful, you will receive an email confirming this. You can also see your status online which can be important evidence for employers. As the process is computerised it is important that you have access to a secure computer and make sure that you check your emails regularly. ■

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