Brexit update

- Brexit deal reached with EU
- MPs currently debating deal and will vote on this on 11 December
- House of Commons to vote on what happens if deal is not voted through
- If deal is voted through – withdrawal agreement comes into effect
- If deal is not voted through – House of Commons to vote on what happens next
Brexit update – where are we now?

- Reject
  - Article 50 extension
  - Vote of no-confidence
  - General Election
  - People’s vote
  - No deal
  - UK Leaves EU

- Pass

Meaningful parliamentary vote
EU Settlement Scheme background

- EU Settlement Scheme introduced into UK law on 28 Aug 2018
- Scheme provides basis for resident EU citizens to apply for confirmation of status under UK immigration law
- 1\textsuperscript{st} phase tested the online system – completed
- 2\textsuperscript{nd} phase testing the ID Checking App – to complete on 21 December 2018
Brexit update – EU Settlement Scheme

29 March 2019

Exercising free movement rights

Pre-exit period

Arrived in the UK by 31 December 2020
and has lived in the UK for 5 years

Apply for settled status or pre-settled status

31 December 2020

Implementation period

Arrived in the UK by 31 December 2020
but has not lived in the UK for 5 years

Future immigration controls

From 1 July 2021, mandatory
to hold settled status or pre-settled status

NB: rights for citizens of Norway, Iceland, Liechtenstein and Switzerland are currently being negotiated, but it is intended that the settlement scheme will be open to them
EU Settlement Scheme pilot relevant eligibility

- A resident EU citizen with a valid passport
- the non-EU citizen family member of an EU citizen with a biometric residence card

You must also either be:
- working in the higher education, health or social care sectors
EU Settlement Scheme Pilot - To apply or not apply?

- Have you completed 5 + years in the UK?
- Have you worked in the UK for 5 years?
- Do you have a National Insurance number?
- Do you have family members? If yes are they eligible to apply?
- Do you have any criminal convictions?
- Are you applying for British citizenship?
<table>
<thead>
<tr>
<th></th>
<th>European Regulations</th>
<th>UK Law - Pre/Settled Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Application process</strong></td>
<td>Cumberson_load_document heavy</td>
<td>Quick and easy no supporting documents needed</td>
</tr>
<tr>
<td><strong>What do you get?</strong></td>
<td>Registration Certificate or Permanent Residency (PR)</td>
<td>Pre-Settled Status or Settled Status</td>
</tr>
<tr>
<td><strong>Advantages</strong></td>
<td>Can backdate PR to when EU national completed 5 years - useful if want to apply for British Citizenship (BC)</td>
<td>Only need to show residency rather than exercise of treaty rights</td>
</tr>
<tr>
<td><strong>Disadvantages</strong></td>
<td>If don’t apply for BC will have to apply to switch PR to Settled Status</td>
<td>Settled status cannot be backdated need to hold settled status for 12 months prior to applying for BC</td>
</tr>
</tbody>
</table>
Brexit deal or no deal

- Deal – withdrawal agreement comes into effect
- No Deal - no other arrangements in place by 29 March 2019
  - In theory
    - EU migrants coming post exit will need to be subject to UK Immigration Rules
  - In practice
    - No new Immigration system yet, therefore transitional arrangements will need to be put in place likely to last until December 2020
Useful links

- EU Settlement Scheme pilot: applicant information
  https://www.gov.uk/government/collections/eu-settlement-scheme-pilot-applicant-information

- Status of EU citizens in the UK: what you need to know

- EU Settlement Scheme: employer toolkit
  https://www.gov.uk/government/publications/eu-settlement-scheme-employer-toolkit

- Sign up for email updates
  https://gov.smartwebportal.co.uk/homeoffice/public/webform.asp?id=67&id2=627DF7
QUESTIONS?

Hazar El-Chamaa, Partner, Immigration

t: 020 7457 3194

e: Hazar.El-Chamaa@penningtons.co.uk
What do you need?

- You should have already registered your email and received confirmation of access to the application
- Access to the web – computer; tablet; mobile
- Valid biometric passport (with a chip) / Biometric ID Card applied for on or after 6 April 2015
- National Insurance Number as proof of residence
- Access to “EU Exit: ID Document Check” App on an Android phone
- Credit card to make payment
Application process

- Quick process - 10 – 20 mins
- Online and by using the app ‘EU Exit: ID Document Check’
- Will draw on data from other government departments for evidence of residency
- Will need to scan passport and upload/take photo
- Declare any criminal convictions
- Will not be required to account for every trip out of the UK, show evidence of CSI or give fingerprints
- You will be contacted if there are errors or omissions or if need more information / evidence
HOW DO I APPLY TO THE EU SETTLEMENT SCHEME IN THIS PILOT?

Register for an application
To apply, you need to register your email. Your university/institution will email you with the details of how to do this. Make sure you can access this email address at any time.

Before you apply
When you receive the application link it will include instructions on how to download the EU Exit: ID Document Check app via Google Play store*. You will only be able to take part in the pilot if you can access the app.

Criminology check
Complete the criminality check by declaring any criminal convictions. Only serious or persistent criminality will affect your application. This should not affect the vast majority of EU citizens and their family members.

Proof of identity
Verify your passport with the EU Exit: ID Document Check app. You will only be able to take part in the pilot if you have a valid biometric passport (an e-passport which has a digital chip) or valid biometric residence card.

Proof of residence
Provide your National insurance number, if you have one. This will allow the Home Office to check your residence status automatically using government records.**

Payment
Provide payment details, if required.
The fee to apply is £65.

*At the moment, you can only download the app on Android devices - an easy way to check if your device can use this app, is if your device has the technology to make contactless payments. If you do not have an Android device you will be able to use a family members/friend’s app to verify your identity and then complete the application on any device you choose. There are no security risks in doing this and your data is not stored on the device.

**There may be cases where residence cannot be proven automatically in this way, particularly if you have not been working in the UK for the whole time you have been resident here. If this happens don’t worry, it is simple and easy to provide additional evidence of your residence. Information on the other types of evidence you can use can be found on GOV.UK. Alternatively, if you have a valid permanent residence document or valid indefinite leave to remain, you will just need to provide proof of that status.
Further evidence of residence

Evidence covering longer period of residence

- 6 months/annual bank statements showing spending in the UK
- employer letter confirming employment (verifiable) / P60 / P45
- council tax bills, residential mortgage statements/ rental agreements + evidence of payment
- letters or certificates / invoices (+evidence of payment) from educational institution
- documents showing a UK address from a student finance body or from the Student Loans Company
- employer pension contributions
- annual business accounts of a self-employed person
Further evidence of residence (Cont..)

Evidence covering 1 month or longer if has start and end date

- Utility bills/Phone internet bills which show a UK address
- domestic bills, such as for home repairs, vet’s services or insurance, and evidence of payment
- GP / healthcare professional letters/card confirming appointments made / attended
- letters from government departments / other public services/ charities that show you dealt with them on a particular date or for a particular period (e.g. Job Centre Plus /Citizens Advice)
- passport stamps/used travel tickets confirming entry at the UK border
- invoices for work done in the UK and evidence of payment
What do you get?

- Confirmation that you are being considered for either Settled or Pre-settled status
- If you disagree have option to upload evidence of residence
- If you agree then you accept
- You then receive a pdf letter to your email address of the decision together with a reference number if EU which will be the “online status”
- This reference number will then be needed to give to employers/landlords etc. as proof of status
- Non-EU family members still receive a BRP
Help

- EU Settlement Resolution Centre 0300 123 7379 (in UK) / 0044 20 3080 0010 (from outside UK)
  1. Find out more about scheme
  2. Further help making the application
  3. Tell something about an application already in progress
  4. To discuss a decision made on an application

- Using the online submission form
  [https://eu-settled-status-enquiries.service.gov.uk/start](https://eu-settled-status-enquiries.service.gov.uk/start)
QUESTIONS?

Hazar El-Chamaa, Partner, Immigration

t: 020 7457 3194

e: Hazar.El-Chamaa@penningtons.co.uk