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CitzRights



EURightsProject

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This information is intended for guidance only. It is based upon our understanding of current proposals and is correct at the time of printing. No liability is accepted by the EU Citizens' Rights Project for actions taken in reliance upon the information given, and it is recommended that appropriate professional advice should be taken.

# SETTLED STATUS



**Settled Status - is a new immigration scheme for EU and EEA citizens and their family members who wish to continue living in the UK. You might have also heard of "The EU Settlement Scheme".**

It will allow you and your family members to continue to live, work and study here in the UK.

You will still be eligible for:

- ✓ Public services, such as healthcare and schools
- ✓ Public funds and pensions
- ✓ British citizenship, if you meet the requirements and want to apply.

## WHO SHOULD APPLY?

Citizens of

- ✓ European Union
- ✓ or the European Economic Area or Switzerland
- ✓ OR their family members

who are planning to continue living in the UK.

- x British citizens should not apply
- x Irish citizens may choose to, but do not need to, apply.
- x Holders of an "indefinite leave to remain" or "indefinite leave to enter" may, but do not need to, apply.

## WHAT DO I NEED TO APPLY FOR THE SETTLED STATUS?

- ✓ Proof of identity
- ✓ 'Continuous residence in the UK' check
- ✓ Recent photo of yourself
- ✓ National Insurance Number, if you have one
- ✓ Criminality check
- ✓ E-mail address
- ✓ Access to an Android phone. If you do not have one, you can visit a digital access centre or send your documents to the Home Office by post.

## WHAT IS THE PROOF OF IDENTITY?



- ✓ If you are an EU / EEA citizen: a valid national ID card or a valid passport.
- ✓ Non-EU family member: a biometric residence card or a biometric residence permit.

## WHAT IS THE 'CONTINUOUS RESIDENCE' CHECK?

When you apply, the UK government institutions will exchange your data to establish how long you have been in the UK. Depending on how long you have been residing in the UK, you will be granted either 'Settled' or 'Pre-settled' status:

- ✓ **Settled status:** EU citizens who have five or more years continuous residence in the UK;
- ✓ **Pre-settled status:** EU citizens who have less than five years continuous residence in the UK. Once you reach the five year old threshold, you'll need to apply again, this time for the Settled Status.

**'Continuous residence' means at least 6 months in any 12 month period.**

If the automatic checks do not work in your case, you will be able to submit additional evidence, e.g. photos or scans of your documents. List of acceptable additional evidence may be found online at: <https://bit.ly/2CCROji>

## WHAT IS THE CRIMINALITY CHECK?



The UK government will check your criminal records. If you have any doubts about undergoing the criminality check, we advise you contact a qualified solicitor.

## HOW DO I APPLY?



1. Check if your digital device and documents meet the technical requirements:

Phone: Android phone with an **operating system 6.0** and the “**NFC**” setting turned on – you can find this in your settings.

If you do not own an Android phone, you can either:

- ✓ Borrow it
- ✓ Scan your documents in a digital assistance point
- ✓ Send you documents by post to the Home Office.

**DOCUMENTS:** Make sure you have a valid biometric passport or a valid biometric ID card. It will have the following logo:



If you do not have biometric documents, you will need to send your documents to the Home Office by post.

If you do not have valid ID documents, seek help of your embassy or consulate.

2. On the Android phone, go to the App store and download the “EU Exit: ID Document Check app”. Follow the instructions from the app. These will include: scanning the photo page of your documents, scanning the biometric chip in the documents, taking a “selfie” and scanning your face, providing your National Insurance Number if you have it and providing your e-mail address.



**EU Exit: ID Document Check**

UK Visas and Immigration

Tools #10 Top Apps

UNINSTALL

OPEN

## WHAT IS THE PROOF OF RECEIVING SETTLED STATUS?

You will get an email confirming you have made an application. After the identity and residence checks have been made, you will receive an email with a reference number and a link to a government service: UK: [view-and-prove-your-rights.homeoffice.gov.uk](http://view-and-prove-your-rights.homeoffice.gov.uk). To log in, you will need to provide your passport number and date of birth. The you will see the proof of your Settled Status.

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To stay updated visit: <http://citizensrightsproject.org>

Or sign up for e-mail alerts: <https://bit.ly/2q7tGj5>

## WHAT ARE THE DEADLINES?

These are still subject to confirmation on the result of the negotiations. We do know that:

- ✓ After 29 March 2019 for some time you can still travel freely with your passport or national ID card.
- ✓ Close family members of EU citizens (spouses, partners in existing relations, descending and ascending relations) will be able to still join you for some time.
- ✓ Please note that the rules on admission of family members of an EU citizen who is also a UK citizen may be different.

## IF THE UK LEAVES THE EU WITH A DEAL:

- ✓ Other EU citizens will still be able to come and settle in the UK after 29 March 2019 and also apply for the Settled Status until the end of December 2020.
- ✓ You will need to make your application by the end of June 2021.

## IF THERE IS NO DEAL:

- ✓ EU citizens who come after Brexit will need to apply under new immigration rules and will not qualify for the Settled Status.
- ✓ Close family members of an EU citizen with a Settled Status will be able to join them relatively easily until 29 March 2022. After that UK Immigration Rules would apply.
- ✓ You will need to make your application by the end of December 2020.
- ✓ You will still be able to use your national ID card for travel until end of December 2020.

## IF THERE IS A NEW DEAL OR AN EXTENSION OR BREXIT GETS CANCELLED:

- ✓ If Brexit is delayed beyond 29 March 2019 then the position of EU citizens in the UK will continue as they are now until the new date for Brexit. If Brexit is cancelled then the current rights of EU citizens will remain the same. If a new deal is negotiated, no one can be sure what this would mean for EU27 citizens' rights but it is unlikely that their rights would be any worse than they would be under a 'no deal' scenario and might be considerably better.
- ✓ Please keep in mind that the EU Settlement Scheme has been open in pilot scheme for the EU citizens since autumn 2018 and some EU citizens have already received Settled Status.
- ✓ Those who have already received settled or pre-settled status will retain it under any deal.