

Understanding the EU Settlement Scheme



Law Express

Legal experts

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The vote to leave the European Union, or “Brexit,” in 2016, has caused a great deal of uncertainty and concern over some key issues that affect people across the UK. One of the largest worries for people who are EU citizens living and working in this country is what their immigration status will be once a Brexit occurs.

The UK government has created the [EU Settlement Scheme](#) to help some people qualify to live in the UK beyond December 31st 2020. The programme will be phased in starting in 2018, with plans to open it fully by the end of March 2019. This article outlines what you need to know about the programme and how to apply.

What is the EU Settlement Scheme?

The EU Settlement Scheme is a programme to allow people who are EU citizens to continue to live and work in the UK beyond December 31st 2020. Additionally, those who qualify under this scheme would be eligible for public services such as healthcare and education, public funds and pensions, and British citizenship if they meet requirements and choose to apply.

Under the scheme, if you have been a resident of the UK for more than five years, you are eligible for settled status. If you have been in this country for less than five years, you are eligible for pre-settled status.

By obtaining ‘**Settled Status**’ EU citizens can:

- stay in the UK indefinitely.
- apply for British Citizenship if they meet the requirements.

By obtaining ‘**Pre-Settled status**’, EU Citizens can:

- stay in the UK for a further five years from the date they get pre-settled status.

- apply for settled status as soon as they have lived in the UK for five years.

Non-EU family members of eligible EU citizens who are living in the UK by December 31st 2020 are also eligible to apply, regardless of where they are from. This includes the following:

- spouses
- civil partners
- unmarried partners
- dependent children or grandchildren
- dependent parents or grandparents

Family members will have to show their relationship to an EU citizen living in the UK. Children born or adopted after December 31st 2020 and future dependents will have their rights protected.

You do not need to apply if you are an Irish citizen, but your family members from outside the UK and Ireland will.

Who is eligible?

EU citizens from the following countries can apply as part of the scheme:

- Austria
- Belgium
- Bulgaria
- Croatia
- Republic of Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland

- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden

(Rights for citizens of Norway, Iceland, Liechtenstein, and Switzerland were still being negotiated at the time of this article's publication.

The application process

Applications for the scheme will be taken online and can be filled out via a computer, tablet, or smartphone.

It will involve following a **three stage process**:

1. **Verifying Proof of Identity** - with an EU passport or National Identity card.
2. **Confirming Proof of Residence**. You may be able to do this through your National Insurance Number.
3. **Completing the Criminality Check**. You will be required to declare any criminal convictions.

Payment

Provide payment details. Applications cost £65 or £32.50 for children under 16. You may also qualify for a free application if you already have indefinite leave to remain or a permanent residence document, or you are applying to move from pre-settled to settled status.

Important dates

- The scheme will be phased in in stages by the end of 2018. It will open fully by the end of **March 2019**.
- Residents who are living in the UK by **December 31st 2020** have until **June 30th 2021** to apply to the EU Settlement Scheme. Your rights will remain unchanged until then.

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