

# EU Referendum Briefing Session at University of Manchester

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**Simon Kenny**

*Eversheds*



# Today's Agenda

1. Purpose of this Briefing Session
2. Update on Brexit and immigration law
3. How to make applications for:
  - a. Qualified Person status
  - b. Permanent Residence
  - c. Family dependants
  - d. Naturalisation as a British citizen
4. Questions and Answers

# Brexit and Free Movement



The outcome of the referendum makes it very likely that free movement between EEA countries and the UK will end.



What will happen after Article 50 notification and exit will depend on the mode of departure being chosen.



Nothing changes at present – EU rules about free movement are still in place.



There are several “known unknowns”:

- the legality of the Government making an Article 50 notification following the High Court decision;
- the Government’s preferred outcome of the negotiations;
- the position of member states/ the EU and EFTA collectively in response to this;
- how negotiating positions might change during the two year period.

# EEA citizens working in the UK

The Government position appears to be that:

- those with Permanent Residence should be allowed to stay;
- a path to applying for settlement will be available to a Qualified Person who arrived before a specific (to be defined) cut-off date;
- EEA citizens arriving after this date are likely to be subject to a permit system which obliges applicants to show they have the offer of a “skilled” job.

BUT

- If a similar process is not applied to British Citizens living in other EEA countries, the above may be restricted.

# EEA Qualified Person (QP) Application

**An EEA/Swiss national who is in the UK as a worker, or an otherwise self-sufficient person, student, or jobseeker.**

**Application fee is £65 and application form EEA (QP) should be completed (alternatives are possible)**

**If applying as a worker, need to show:**



2 passport style photographs



Proof of identity – a valid passport or national identity card



Proof of employment – employer's declaration, wage slips or bank statements

**If the latter, evidence should cover at least 3 months prior to the application date.**

# EEA Permanent Residence (PR) Application

Must normally have lived in the UK for a **continuous period of five years** as:

a 'qualified person'

a family member or extended family member of a qualified person or permanent resident (a sponsor), or

a former worker or self-employed person who has ceased activity in the UK but still retain your residence in the UK (e.g. after retirement)

It **is** possible to amalgamate time spent in more than one category over the five year period.

On-line applications and passport retention is now possible.

# EEA Permanent Residence: Necessary Documents

**Applicants basing the qualification on employment will usually require:**

<b>Application form EEA (PR) (or EEA, or other alternative) and £65 fee</b>	<b>Two passport sized photographs of the main applicant</b>
<b>Valid passport or national identity card</b>	<b>Confirmation of employment over the previous five years</b>
<b>Evidence of residence in the UK over 5 years which may include:</b> <ul style="list-style-type: none"><li>○ <b>Bank statements</b></li><li>○ <b>Telephone bills</b></li><li>○ <b>Council tax bills</b></li></ul>	

## EEA QP and PR applications: common issues

Several matters which can cause difficulty for applicants include:

- intrusive questions regarding absence from the UK since first arrival;
- non-qualification for a short period within the five years;
- comprehensive sickness insurance for those with a period of either study or self-sufficiency ;
- showing documentation which confirms residence over the whole five year period (such as on-line bank statements);
- applications for children;
- documentation needed for ongoing travel during the application process.

# EEA Family Member (FM) Application

Dependant applicants must be:

-  the family member of a relevant EEA national (i.e. a 'qualified person')
-  spouse or civil partner of the relevant EEA national
-  dependant parent or grandparent of the relevant EEA national/British citizen, or of their spouse/civil partner

Need to show:

-  Passport, travel document or national identity card
-  Valid passport or national identity card for a sponsor
-  Proof of family relationship
-  Evidence of cohabitation
-  Evidence of dependency sometimes required

# Naturalisation applications

**This is a status which can only be removed in unusual circumstances**

**There may be an impact on holding existing citizenships alongside this status**

**Requirements of an application include:**

- ★ freedom from immigration restrictions for the previous year;
- ★ five years' prior residence;
- ★ good character and passing Life and Language in the UK test.

**Complete Form AN – by post or Nationality Checking Service**

**More expensive and slower to process than EEA applications**

EVERSHEDS

**Simon Kenny**

Principal Associate

SimonKenny@eversheds.com

**One Wood Street**

London

EC2V 7WS

United Kingdom

**eversheds.com**

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