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# PwC Immigration News

## Global Immigration Alert: United Kingdom

### UK Government Issues Statement of Intent

On 21 June 2018, the UK Government issued its Statement of Intent which outlines in more detail how it will implement the EU Settlement Scheme to enable EU Citizens resident in the UK and their family members to continue living in the UK permanently. The EU Settlement Scheme will mean that;

- EU citizens and their family members who, by 31 December 2020, have been continuously resident in the UK for five years will be eligible for 'settled status', enabling them to stay indefinitely.
- EU citizens and their family members who arrive by 31 December 2020, but will not yet have been continuously resident here for five years, will be eligible for 'pre-settled status', enabling them to stay until they have reached the five-year threshold. They can then also apply for settled status.
- EU citizens and their family members with settled status or pre-settled status will have the same access as they currently do to healthcare, pensions and other benefits in the UK.
- Close family members (a spouse, civil partner, durable partner, dependent child or grandchild, and dependent parent or grandparent) living overseas will still be able to join an EU citizen resident here after the end of the implementation period, where the relationship existed on 31 December 2020 and continues to exist when the person wishes to come to the UK. Future children are also protected.

The application process will comprise of four stages;

- 1 Complete application form (this will be available in digital format, but a postal method will be available to those who cannot access digital applications)
- 2 Pay fee (£65 per application for those 16 and over, £32.50 for those under 16)
- 3 Provide evidence of identity and nationality – either via digital upload or by posting to UKVI where unable to use digital system
- 4 Enrol facial image to verify identity

The Government has confirmed that checks will be conducted with HMRC and DWP in order to

reduce the need to provide supporting documentation. Individuals will also not be required to provide evidence of Comprehensive Medical Insurance which impacts some individuals under current EU rules.

Individuals will be issued either:

- Pre-settled status – where they have not completed 5 years continuous residence; or
  - Settled status – where they have completed 5 years continuous residence
- Individuals will be issued with a digital status rather than a physical document.

Continuous residence will be broken where an individual spends more than 6 months outside the UK in a 12 month period unless the below exceptions apply;

- A single absence of more than 6 months but less than 12 months where there is an important reason such as pregnancy, child birth, serious illness, study, vocational training or an overseas posting; or
- Any period of absence resulting from compulsory military service

Once a person has been continuously residence for five years, they will be eligible for settled status where they have not been absent for more than five consecutive years when they apply under the scheme.

The scheme will open in late 2018 and will remain open to individuals that are resident in the UK before Brexit or have entered during the transition period until 30 June 2021.

Individuals who have already obtained Permanent Residence documents under current rules will not be required to pay a fee. Similarly individuals who are issued pre-settled status will not be required to pay a fee when upgrading to settled status.

### ***What this means for you as an employer***

The Government's latest announcement provides greater certainty to EU national employees and their employers on how the scheme will work in practice.

Where not already done, employers should consider how they will monitor their employee's progress with submitting applications and acquiring either settled or pre-settled status.

Employers and individual employees now also have a greater understanding of the impact of overseas assignments on their which should allow more informed discussions about whether this will affect their entitlements to settled status.

It should be noted that the current announcement does not include nationals of Iceland, Liechtenstein, Norway and Switzerland. However, the Government has confirmed that negotiations are ongoing and it

is hoped that these arrangements will be replicated for nationals of those countries.

Today's announcement was focused purely on the settled status scheme and no information is currently availability around the future immigration routes for EU citizens after the transition period.

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