

Technical factsheet

Freedom of movement to live and work in the EU or UK after the transition period

EU nationals living and working in the UK

On 31 December 2020, the transition period between the UK and EU formally closes and freedom of movement to live and work between the EU, EEA, Switzerland and UK will change.

EU nationals with 'permanent residence' can either apply to the EU Settlement Scheme or apply for citizenship before 30 June 2021. EU nationals with 'indefinite leave to remain or enter' (ILR) do not need to apply to the EU Settlement Scheme to retain their immigration status but may choose to apply to gain settled status, enabling them to leave the UK for periods of up to five continuous years – an increase on the two years granted by ILR. If you're not sure if you have either status, you can find out more [here](#).

EU nationals living in the UK on or before 31 December 2020

You can apply to the [EU Settlement Scheme](#) to gain settled and pre-settled status. Applications can be made up until 30 June 2021. After this date, you may be asked to prove 'pre-settled' or 'settled' status to access healthcare and as evidence of your right to work or rent.

Pre-settled v settled status

All nationals with either status will be eligible to work in the UK, use the NHS, enrol in educational courses, access public funds such as benefits and pensions, and travel in and out of the UK.

Pre-settled

This applies if you were living in the UK on or before 31 December 2020 but do not have five years' continuous residence at the time of application. This can then be changed to

settled status when you reach five years. Once you are granted pre-settled status, you can leave the UK for a period of up to two years without losing the status.

Settled

This applies if you were living in the UK on or before 31 December 2020 and have lived in the UK for five years continuously (ie for at least six months in each 12-month period, throughout five years – known as continuous residence. There are some [exceptions](#) to this.) Once you are granted settled status you can leave the UK for a period of up to five years (four years for Swiss nationals) without losing the status.

Frontier workers do not need to apply to the scheme but their [family members](#) may need to take action.

EU nationals moving to the UK after 31 December 2020

The status of EU, EEA and Swiss nationals is currently the subject of discussions between the UK and the EU. ACCA will update materials when further information is available.

No deal

In the event of no deal, EU citizens **legally** living and/or working in the UK on or before 31 December 2020 would be able to remain. As above, eligible EU nationals living in the UK on or before 31 December can apply to the EU Settlement Scheme until 30 June 2021.

UK nationals living and working in the EU

UK nationals legally residing in an EU country on or before 31 December 2020 will be entitled to continue to live, work, study and access public services as before the UK left the EU. UK nationals will need to apply for residence status from the EU member state; in most, cases you will have until 30 June 2021 to do so. The UK government will be supplying information on different application methods in the '[Living in' guides](#)'.

Close family members (spouses, registered partners, dependent children, parents and grandparents) will be able to join you after 31 December 2020 under current EU rules.

If you are living in the EU, EEA or Switzerland on or before 31 December 2020, and if you receive a UK state pension, it will continue to be uprated as long as you continue to live there. This will happen even if you start claiming your pension on or after 1 January 2021, as long as you meet the qualifying conditions explained in the new state pension guidance.

The current rights of UK and Irish nationals in the Common Travel Area will not be affected.

No deal

In a no-deal scenario, UK workers and citizens legally living in an EU state on or before 31 December 2020 will have their rights protected under the Withdrawal Agreement. As above, British citizens have until 30 June 2021 to apply for residence status.

Under a no deal, UK nationals wishing to move to EU states to live or work after 31 December 2020 may become ‘third-country nationals’ and are likely to be treated in the same way as other non-EU third-country citizens, so should check individual member-state visa entry and work permit requirements.

Issued December 2020

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