

Brexit Guide

for International Employers

The UK left the EU at the end of January 2020 but remained wedded to EU rules during a 'transition period' that lasted until 31 December 2020. But now the change has taken place and businesses on both sides of the Channel are working out how to do business in the new world they find themselves in. In this Guide, we explore how immigration between the UK and the EU is being handled.

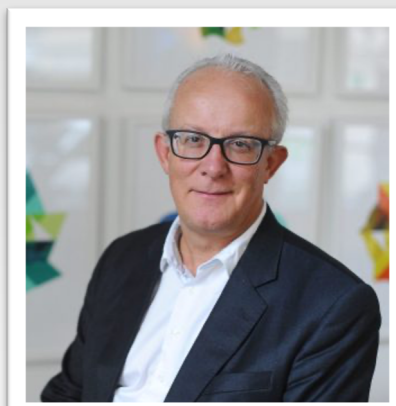
BREXIT TASKFORCE

Our specialist employment lawyers from across the EU and UK are here to help. You are welcome to contact Sophie Maes, partner in our Belgian firm, Claeys & Engels and James Davies, partner in our UK firm Lewis Silkin for any issue to do with Brexit. You can also contact Sam Everatt, Executive Director of Ius Laboris if you would like to be put in touch with a law firm in any country in the EU or beyond for your Brexit questions.



Sophie Maes

sophie.maes@claeysengels.be



James Davies

james.davies@lewissilkin.com



Sam Everatt

sam.everatt@iuslaboris.com

We take a detailed look at the following topics across the countries in our EU and UK law firms:

- **Business travel**
- **Employment and residence**
- **Frontier workers**
- **Permanent residence**
- **Securing residence and work status**

CLICK ON A COUNTRY TO GO DIRECTLY TO IT:

AUSTRIA.....	5
BELGIUM.....	11
BULGARIA	17
CROATIA	21
CZECH REPUBLIC	27
DENMARK.....	32
ESTONIA.....	36
FINLAND.....	41
FRANCE.....	43
GERMANY	49
GREECE	54
HUNGARY	60
IRELAND.....	65
ITALY	69
LATVIA.....	72
LUXEMBOURG	77
MALTA.....	86
THE NETHERLANDS.....	85
POLAND	87
ROMANIA	92

SLOVAKIA.....	99
SLOVENIA	103
SPAIN.....	111
SWEDEN.....	112
UNITED KINGDOM	117

AUSTRIA

UPDATED: 10 DECEMBER 2020

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>Yes.</p> <p>Austria has issued contingency rules that would apply in the event of a no-deal Brexit. Specifically, the Austrian Parliament has passed a specific act called 'The Brexit Accompanying Law' ('Brexit-Begleitgesetz 2019'), which entered into force on 26 March 2019.</p> <p>The core of this act is that Britons residing in Austria should continue to live, study and work in Austria (for newly entering Britons see 3.1 below) under conditions similar to the special provisions applicable to EEA nationals. A special regulation of the act will enable Britons residing in Austria (and their third-country family members in Austria), to obtain a residence permit under the Settlement and Residence Act ('Niederlassungs- und Aufenthaltsgesetz') with free access to the labour market under simplified conditions:</p> <p>Britons who have been resident in Austria under EU law for less than five years will be able to apply for a 'Rot-Weiß-Rot – Karte plus' residence permit. Examination of the application will essentially be restricted to checking whether the applicant poses a risk to public order and security.</p> <p>Britons and their third-country family members who have been legally resident in Austria for over five years will be able to apply for permanent residence permit ('Daueraufenthalt – EU'). Applicants will need to provide proof that they have been legally resident for at least five years and will have to meet the general requirements for the granting of a residence permit under the Settlement and Residence Act.</p> <p>The application for these residence permits must be submitted at the latest within six months of the date on which the UK leaves the EU.</p> <p>This deadline will probably be prolonged to 12 months, according to the Austrian Federal Chancellery website and the draft Brexit Implementing Regulation, which is still being reviewed by the Government.</p>
----	---	---

2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No.</p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject to EU law. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>However, the European Parliament linked the visa exemption for UK citizens to a corresponding act of the UK guaranteeing the same rights for EU citizens. Therefore, there is a risk that the Parliament's decision will be revoked, should the UK require a visa for citizens from even one EU member state.</p> <p>The Schengen exemption applies from 1 January 2021.</p>
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>According to the current status, UK travellers require a passport which must contain at least two empty pages; the first issue date of the passport must not be more than ten years ago and the passport must be valid for at least three months after the planned date of departure from the Schengen area. A copy of passport's data sheet (containing the passport picture) is also required.</p> <p>Documents regarding the travel itinerary, proof of the duration and the purpose of the stay are also required. For business travel additional documentation may be required:</p> <ul style="list-style-type: none"> • an original invitation signed by the inviting company using company stationery (or a company fax or company mail to the embassy/consulate), setting out the purpose of travel, travel date, name, date of birth and passport number of the invitee; • proof of employment issued by the employer, if requested by the authorities. <p>Travel, health and accident insurance (limit of liability must be at least EUR 30.000 and include return journey) valid for the Schengen Area.</p>

	<p>2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021 in the event of no deal?</p>	<p>If an employer based in the UK (i.e. without a seat or registered office in the EU/EEA) posts third-country nationals (non-EU/EEA citizens) to Austria, an application for a posting permit or employment permit must be made.</p> <p>An application for the posting permit must be made at the Austrian Employment Agency for foreign employees. A posting permit can only be granted if:</p> <ul style="list-style-type: none"> • the applicable wage and working conditions for employees that would be employed by a domestic company in Austria are observed; • the project does not last longer than six months, • the secondment of the individual foreign worker lasts at least four months; and • the work is not usually performed by companies in the sectors of structural and civil engineering, building installation, other construction and rental of construction machinery as well as equipment with operating personnel. <p>An employment permit or posting permit is not usually required for British employees who will be engaged in short-term work in Austria (after the transition period) performing duties for which, by their nature, domestic workers are generally not used. These short-term work services include, for example, business meetings, visits to trade fairs or participation in congresses.</p>
3.	<p>Employment and residence</p> <p>3.1 Do UK nationals need permission to work and stay in Austria from 1 January 2021?</p>	<p>Yes.</p> <p>In Austria, foreign employees may only be employed if the employer has obtained a work permit ('Beschäftigungsbewilligung'), a sending permit ('Entsendebewilligung'), a notification certificate ('Anzeigebestätigung') for the employee, or if the employee is in possession of a work authorisation ('Arbeitserlaubnis').</p> <p>An exception exists in the following cases:</p>

		<ul style="list-style-type: none"> • family members of an EU national or a non-EU national who has an authorisation to work in Austria (subject to concrete conditions); • managers with special qualifications; • lecturers in international educational institutions (concerning scientific, educational, cultural or social matters); • media correspondents. <p>Depending on the circumstances of the case, the employee may (also) need to apply for a residence permit.</p> <p>For Britons who already lived in Austria before Brexit, see question 1 above.</p>
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	<p><i>Application for a permit by a domestic employer (work permit):</i></p> <p>No, there are no general contingency rules or quotas (there is an exception for seasonal workers such as harvest workers). However, there is another kind of limit on the issuance of work permits: basically, a work permit will only be issued if no domestic or EU citizen or foreign national already in possession of a work permit can be found for the job. Permission has to be granted if the present and presumed future situation of the labour market allows the employment of a foreign national.</p> <p><i>Application for a permit by a foreign employee (work authorisation):</i></p> <p>There is no quota. If the requirements are fulfilled, work authorisation will be granted to the foreign employee.</p>
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<p>The most common categories are:</p> <p>Work permit: grant depends on the current status and the development of the labour market. It is crucial that no domestic or EU citizen or foreign national already in possession of a work permit can be found for the job. A more precise answer to this question cannot be given without additional information on the concrete candidate.</p>

		<p>Work authorisation: If a foreign national plan to stay in Austria for longer than six months and wants to start working here, he or she can apply for a work authorisation provided that he or she has special skills and knowledge. These can include, for example:</p> <ul style="list-style-type: none"> • specially highly qualified applicants (Master's degree – especially in mathematics, computer sciences, natural sciences or technology, with annual remuneration of at least EUR 41,739 gross) • employees for understaffed professions – see the specific regulations on understaffed professions ('Fachkräfteverordnung'), other key employees with at least a bachelor's degree, vocational education or other specific knowledge.
	<p>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</p>	<p>Work permit: The employer has to apply for a work permit at the competent Austrian Public Employment Service ('AMS'). The processing or rejection of the application takes up to six weeks. Depending on the circumstances of the case, the employee may also need to apply for a residence permit.</p> <p>Work authorisation: The foreign national has to apply for a Red-White-Red Card (including a work authorisation and a residence permit) with the competent Austrian representation (embassy or consulate) in his or her home country or country of residence. The application process usually takes approximately eight weeks.</p>
	<p>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</p>	<p>Work permit (without residence permit):</p> <ul style="list-style-type: none"> • Application: about EUR 14,30 (depending on the concrete circumstances), • Grant: about EUR 6,50 (depending on the concrete circumstances), • Enclosure fees (a charge for supporting documents submitted with the application): EUR 3,90 per sheet. <p>Work authorisation (Red-White-Red Card):</p>

		<ul style="list-style-type: none"> • Application: EUR 120 • Grant: EUR 20 <p>Costs of personalisation (fingerprints, scan of photograph and signature): EUR 20</p>
4	Frontier workers 4.1 What formalities apply to UK frontier workers working in Austria but living in another country from 1 January 2021?	<p>After the transition period, British citizens who have already exercised their right of residence in Austria before or who have been employed as cross-border commuters in accordance with EU law and who will continue to live or work here as cross-border commuters after the transition period continue to have unrestricted access to the Austrian labour market on the basis of the Withdrawal Agreement.</p>
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>After five years of legal stay in Austria (subject to concrete conditions).</p>
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>Currently (in the absence of any specific contingency rules):</p> <ul style="list-style-type: none"> • Establishing residence in Austria and requesting confirmation of registration of the Right of Residence under EU law ('Anmeldebescheinigung') as soon as possible. After Brexit, resident Britons should probably continue to live in Austria (see point 1.1); • Applying for permanent residence if conditions are met (see point 4.1); • Applying for Austrian, EEA or Swiss citizenship if conditions are met, but individuals should consider the overall consequences before doing so (including possibly forfeiture of British citizenship); • Preparing documents for family reunification with an EU national, if relevant.
	Author	<p>Birgit Vogt-Majarek, birgit.vogt-majarek@sms.law</p> <p>Karoline Saak, karoline.saak@sms.law</p> <p>Schima Mayer Starlinger Rechtsanwälte GmbH</p>

[Back to top](#)

BELGIUM

UPDATED: 18 JANUARY 2021

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	Yes UK citizens (and their family members) living and working in Belgium or UK citizens working in Belgium as frontier workers (within the framework of free movement of employees) before 31 December 2020 can continue to do so after 31 December 2020. They will have 'Beneficiaries of the Withdrawal Agreement' status. They will need to apply for new residence cards and exchange their current EU documents (E(+)-card or F(+)-card if they live in Belgium and Annex 15 if they are a frontier worker) by 31 December 2021 for a M-card (if they live in Belgium) or a N-card (frontier workers). Their current European documents will in any event cease to be valid from 31 March 2022. The application must be made at their commune and they must submit: <ul style="list-style-type: none">• valid Passport or identity card;• current European residence card<ul style="list-style-type: none">◦ E(+)-card for British citizens living in Belgium,◦ F(+)-card for non-EU family members;• Annex 15 for frontier workers (or proof that they were working as an employee/self-employed person and had British nationality on 31 December 2020 or had sufficient means of subsistence or were registered as a student).• criminal record (maximum six months old). UK citizens living in Belgium have been or will be informed individually of the procedure for applying for their new residence card as 'Beneficiaries of the Withdrawal Agreement'. UK citizens who did not reside in Belgium or work as a frontier worker in Belgium by 31 December 2020 are considered as third-country nationals and require authorisation to work and reside unless an exemption applies.
----	---	---

		<p>However, the following family members are able to join UK citizens after 31 December 2020 and will be able to live and work in Belgium provided that the relationship already existed before 31 December 2020:</p> <ul style="list-style-type: none"> • direct family members (spouse, registered partnership, direct descendants who are under the age of 21 or dependents (and their spouse or registered partner); dependents' direct relatives in the ascending line (and their spouse or registered partner); • partner with whom the UK citizen has a durable relationship, duly attested; • children born or legally adopted after 31 December 2020. <p>Those family members will need to apply for residence as 'Beneficiaries of the Withdrawal Agreement' within three months after their arrival or 31 December 2021.</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No.</p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject to EU law, i.e. 1 January 2021. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p>
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>A travel document (valid passport) with a validity of no more than ten years and that is valid for at least three months after departure from Belgium.</p> <p>Proof of duration, purpose and conditions (i.e. accommodation) of stay as border control may ask additional questions concerning duration, purpose and conditions of stay. As of the end of 2022, UK nationals may have to apply for travel authorisation through the ETIAS system (European Travel Information and Authorisation System) prior to their trip.</p> <p>Unless they stay in a hotel or guest house, UK business travellers will need to notify the appropriate communal administration of their presence within three working days from arrival and receive an Annex 3 form.</p>
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	<p>Even if allowed to enter and stay visa-free as third-country nationals for a maximum of 90 days in any rolling 180-day period, UK citizens may nonetheless need a work permit B after 31 December 2020. In principle, third-country business visitors are only</p>

		<p>exempt from a work permit B for meetings 'in closed circle' for a maximum of 20 subsequent calendar days per meeting and 60 days in total per year. Examples of meetings in 'closed circle' include negotiations with customers, evaluations with staff and company strategy meetings.</p> <p>However, the Trade and Corporation Agreement provides for an exemption for a work permit B for 'short-term business visitors' to the extent that they do not sell goods or provide services. The permitted activities are listed in the Agreement (but reservations have been made for some countries) and are limited to 11 activities (e.g. meetings and consultations). The Agreement further foresees a permissible length of stay for those activities for a period of up to 90 days in any six-month period. It is not yet clear whether this means that the 20d/60d limit for meetings in closed circle without work permit B no longer applies for British nationals and confirmation has been asked from the Authorities.</p> <p>Other exemptions exist such as for qualified and specialised employees and specialised technicians but subject to conditions and time restrictions.</p>
3.	<p>Employment and residence</p> <p>3.1 Do UK nationals need permission to work and stay in Belgium from 1 January 2021?</p>	<p>Yes, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> • 'Beneficiaries of the Withdrawal Agreement' (E(+)-card/ F(+)-card /Annex 15 until exchange for M-card or N-card by 31 December 2021) • family members of an EU national or a non-EU national who has authorisation to work (subject to conditions); • holders of a permanent Belgian residence permit (electronic B-card, C-card or D-card); • 'Van Der Elst exemption' which applies to employees employed by an employer located in the EEA or Switzerland (not in the UK as of 1 January 2021) and who are sent to Belgium to deliver services on behalf of their employer, on the condition that they have the necessary permits to reside for more than three months and work in the country where their employer is established (EEA/Switzerland); • students enrolled at a Belgian educational establishment during school holidays or outside school holidays for a maximum of 20 hours per week;

		<ul style="list-style-type: none"> students enrolled at a Belgian, EEA or Swiss educational establishment to follow mandatory training in Belgium to obtain their degree. <p>The employer will need to apply for a work permit B for UK nationals working in Belgium for up to 90 days and a Single Permit for UK nationals to reside and work in Belgium for more than 90 days. The Single Permit is obtained via a single application procedure encompassing both permission to work and to reside in Belgium for more than 90 days as a salaried employee.</p> <p>UK nationals coming to stay and work in Belgium in a self-employed capacity will require a residence permit and a professional card.</p>
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	No.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<p>For employees in Brussels:</p> <ul style="list-style-type: none"> highly skilled employees: Bachelor's degree and annual remuneration of at least EUR 43,395 gross (2021); management personnel: annual remuneration of at least EUR 72,399 gross (2021); trainees (subject to conditions). <p>For employees in Flanders:</p> <p>The Flemish Region applies an economic migration model based on three separate profiles:</p> <ul style="list-style-type: none"> highly qualified (Bachelor's degree and annual remuneration of at least EUR 43,524 gross (2021) or EUR 34,819.20 gross (2021) for employees aged up to 30 working for a Belgian employer and other special profiles (subject to conditions); certain medium-skilled profiles (only for shortage professions listed in a dynamic bi-annual shortage profession list);

		<ul style="list-style-type: none"> profiles that fall into a residual category subject to a labour market test and for whom 'special economic and social reasons' must be established. <p>For employees in Wallonia:</p> <p>The Walloon Region also applies an economic migration model based on three separate profiles:</p> <ul style="list-style-type: none"> highly qualified (Bachelor's degree and annual remuneration of at least EUR 43,395 gross (2021) but salary cannot be lower than that of comparable positions in accordance with the applicable laws, collective agreements or practices) and special profiles (subject to conditions); shortage professions (annual list); profiles that fall into a residual category subject to a labour market test and for whom 'special reasons of economic or social order or of public order, public security or public health' must be established.
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	<p><i>Permission to work and stay in Belgium for less than 90 days:</i></p> <ul style="list-style-type: none"> employer needs to apply for a work permit B from the competent Region: three to four weeks; depending on the circumstances of the case, the employee may need to apply for a residence permit. <p><i>Permission to work and stay in Belgium for more than 90 days:</i></p> <ul style="list-style-type: none"> employer needs to apply for a Single Permit from the competent region: may take up to +/- 4.5 months but currently four to six weeks; evidence of the absence of a criminal record (with an Apostille or legalised) needs to be submitted at the start of the procedure. Sufficient preparation time should be factored into employment plans.
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	<p>Work permit B: EUR 25 to 50 (administrative fee depends on the commune)</p> <p>Single Permit: EUR 363 (current amount as of 1 June 2020)</p>

4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Belgium but living in another country from 1 January 2021?	<p>UK frontier workers working in the service of a Belgian employer before 31 December 2020 are able to continue to do so afterwards as 'Beneficiary of the Withdrawal agreement'. They need to apply for this status and exchange their current Annex15 for a N-card by 31 December 2021 at the latest.</p> <p>UK frontier workers coming to Belgium after 31 December 2021 need a work permit B to work in the country even if they work for more than 90 days in Belgium. The employer will need to apply for a work permit B from the relevant region. In addition, the UK frontier worker will need an Annex 15 (non-EU) from the commune of his or her place of employment in Belgium to cover the period of stay.</p>
	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>After five years of legal and uninterrupted stay in Belgium (subject to conditions).</p>
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<ul style="list-style-type: none"> • Applying for an EU residence card (E(+)-card or F(+)-card for non-EU family members or Annex 15 (frontier worker) before 31 December 2020. • Applying for status as 'Beneficiary of the Withdrawal Agreement' before 31 December 2021 and exchange current European documents (E(+)-card, F(+)- card or Annex 15) for a M-card (living in Belgium) or a N-card (frontier worker). - Applying for an EU permanent residence card (E+ card or F+ card for non-EU family members) if conditions are met.

		<ul style="list-style-type: none"> Applying for Belgian/EEA or Swiss nationality if conditions are met, but individuals should consider consequences (e.g. loss of special tax status if they take up Belgian nationality) before doing so. Applying for family reunification with an EU national if relevant.
	Author	Sophie Maes, sophie.maes@claeysengels.be Claeys & Engels

[Back to top](#)

BULGARIA		
		UPDATED: 8 DECEMBER 2020
1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>Yes.</p> <p>In July 2020, the Bulgarian Parliament adopted legislative amendments to the Bulgarian European Union Citizens and Members of Their Families Entry and Residence in and Departure from the Republic of Bulgaria Act (the Bulgarian EEA Act) aiming at regulating the status of the UK nationals after 31 December 2020.</p> <p>The amendments apply to the following categories of UK nationals:</p> <ul style="list-style-type: none"> UK nationals who entered and reside legally as of 1 February 2020 or possess a residence certificate; UK nationals who entered and reside legally during the transition period; family members of UK nationals under the first two bullets who became family members during or after the transition period; and UK nationals who are family members of Bulgarian nationals. <p>If the UK nationals listed above wish to reside in Bulgaria for more than three months, they must apply for a residence permit within three months of their arrival and in any case not later than the end of the transition period. Only family members who</p>

		<p>became family members after the transition period may apply for a residence permit within three months as of their entry into Bulgaria.</p> <p>UK nationals who already possess residence certificates in Bulgaria with term of validity longer than one year after the transition period, shall file an application for replacement of their residence certificate with a residence permit within 1 year after the transition period. The term of validity of the residence permit will be the same as the term of validity of the replaced residence certificate.</p> <p>UK nationals who already possess residence certificates in Bulgaria which expire during the transition period or within one year after the transition period must apply for a residence permit if they wish to continue residing in Bulgaria.</p> <p>All residence permits listed above will be issued in accordance with Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals.</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No.</p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a visa for crossing Member States' external borders. It applies from the day the UK is no longer subject to EU law. UK citizens can enter and stay in the Member States' area for a maximum of 90 days in any rolling 180-day period.</p> <p>The exemption applies from 1 January 2021.</p>
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>Passport issued within the previous ten years which will remain valid at least three months after the intended date of departure from Bulgaria.</p>
3.	Employment and residence	<p>Yes, unless they can rely on an exemption such as:</p>

<p>3.1 Do UK nationals need permission to work and stay in Bulgaria from 1 January 2021?</p>	<ul style="list-style-type: none"> managers/directors of Bulgarian entities officially registered with the Bulgarian Commercial Register; attending business meetings; family members of an EU national (subject to other work-related formalities;) holders of a permanent Bulgarian residence permit.
<p>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</p>	<p>Yes.</p> <p>General case: the number of foreign employees employed by a Bulgarian entity may not exceed 20% of the average number of employees (Bulgarian and EU nationals) in the Bulgarian entity for the past 12 months.</p> <p>Small and medium-sized enterprises: the number of foreign employees employed by the Bulgarian entity may not exceed 35% of the average number of employees (Bulgarian and EU nationals) in the Bulgarian entity for the past 12 months.</p>
<p>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</p>	<p>Types of work and residence permits:</p> <ul style="list-style-type: none"> Single work and residence permit: this requires a labour market test; the quota requirements described in 3.2 above apply. EU Blue Card. Inter-company transfer work and residence permit. Work permit and residence for seconded employees.
<p>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</p>	<p>The procedures usually take five to six months and include the following steps:</p> <ul style="list-style-type: none"> obtaining a work authorisation; obtaining a long-term visa; obtaining a residence authorisation.

	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	Depending on the type of the work and residence permit the official fees may vary between EUR 400-800.
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Bulgaria but living in another country from 1 January 2021?	No special rules have been adopted for frontier workers, meaning that frontier workers may not continue to work in Bulgaria after 1 January 2021.
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	Five years of legal stay in Bulgaria.
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	UK nationals can apply for a residence permit, if they fall under the categories listed in 1, above.
	Author	Nedyalka Novakova, novakova@boyanov.com Boyanov & Co

[Back to top](#)

CROATIA

UPDATED: 8 JANUARY 2021

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>Yes.</p> <p>Croatia has recently adopted new rules in relation to UK nationals currently residing in Croatia in the latest amendment to the Act on EEA nationals and their family members (the 'Amendment'). The Amendment became effective on 1 January 2021.</p> <p>According to the Amendment rules, UK nationals and their family members who had a valid temporary or permanent residence in Croatia on 31 December 2020 will maintain their entitlement to residence in Croatia. They will have to apply for a new temporary or permanent residence permit, which will be issued under the same conditions applied to EEA nationals. The applications must be submitted between 1 January and 30 June 2021. The same rules apply to UK nationals who did not yet have a valid temporary or permanent residence permit on 31 December 2020, but who were lawfully residing in Croatia on that date and continue to do so.</p> <p>UK nationals who were not physically present in Croatia on 31 December 2020, provided that they meet the criteria for continuity of residence under Article 11 of the Withdrawal Agreement (WA), can submit their application within six months from the date of next entry into Croatia.</p> <p>Details on ways to prove residence should be determined in the Ordinance issued by the Minister of Internal Affairs, which is still pending.</p> <p>On the other hand, UK nationals arriving in Croatia after Brexit date will be in the position of third-country nationals and the same rules as for any other third-country nationals will apply. This basically means they will need to regularise their status in Croatia based on a residence and work permit, unless they can rely on one of the exemptions expressly prescribed by the law (please see under 3.1 below).</p> <p>The Amendment also establishes rules applicable to UK nationals who are frontline workers. For more detail, see 4.1 below.</p>
2.	Business travel	<p>No, provided that they meet the criteria from the Trade & Cooperation Agreement entered into by the EU and the UK (the 'T&C Agreement'). Under the T&C agreement, UK citizens shall be able to enter and stay in Croatia as Short-term</p>

<p>2.1 Do UK employees need a business visa from 1 January 2021?</p>	<p>business visitors for a maximum of 90 days in any rolling 180-day period, provided that they:</p> <ul style="list-style-type: none"> • are not engaged in selling their goods or supplying services; • do not, on their own behalf, receive remuneration from within Croatia for the duration of their stay; or • are not engaged in the supply of a service under a contract concluded between a legal person that is not established in Croatia, and a consumer from Croatia. <p>The T&C Agreement provides an exhaustive list of activities in which short-term business visitors are permitted to engage. These include:</p> <ul style="list-style-type: none"> • meetings and consultations; • conducting scientific or marketing research; • attending training seminars, trade fairs, and exhibitions; • negotiating sales of services and goods; • providing after-sale or after-lease services; • engaging in commercial transactions; • activities of tourism personnel; • translation and interpretation activities. <p>For any other work-related activity or stay longer than as described above, UK citizens will need a residence and work permit.</p>
<p>2.2 What documents are needed on arrival for business travel from 1 January 2021?</p>	<p>For a stay of no longer than 90 days in any 180-day period UK nationals need to have a valid passport with an expiration date no less than three months after the planned departure date from Croatia, and which has been issued no more than ten year prior to arrival.</p> <p>Since UK citizens are now considered third-country nationals, additional documentation may be required to demonstrate they meet the following conditions:</p>

		<ul style="list-style-type: none"> • they have a justification for the purpose of their stay in Croatia; • they have sufficient funds for living expenses during their stay in Croatia and for return to their country of origin or travel to another country; • their return to their country of origin or travel to another country is determined to be safe; • they are not prohibited from entering and staying in Croatia, • they do not pose a threat to public order, national safety or public health in Croatia. <p>Unless s/he stays in a hotel or a guest house, a UK business traveller will need to notify the competent Croatian Ministry of Interior office of their presence within two days of entry into Croatia and arrival at the relevant address of stay or residence in Croatia.</p>
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	No , UK nationals can travel to Croatia for up to 90 days in any 180-day period without a visa as explained under 2.1.
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Croatia from 1 January 2021?	Yes , unless they can rely on an exemption such as: <ul style="list-style-type: none"> • granted or seeking asylum and/or international protection in Croatia (subject to conditions); • authorised temporary residence for humanitarian reasons in Croatia; • authorised temporary residence for scientific research in Croatia (subject to conditions); • authorised temporary residence for education in Croatia, if he or she has a regular college student status and is working up to maximum of 20 hours per week; • short-term intra-corporate transferees (for a period of up to 90 days in any 180-day period); • business visitors for establishment purposes; • authorised temporary residence for the purposes of family reunification with the following: <ul style="list-style-type: none"> ○ a Croatian national; ○ a person who has been granted asylum and/or international protection in Croatia (subject to conditions), ○ a third-country national holding a permanent residence permit in Croatia;

		<ul style="list-style-type: none"> ○ a third-country national holding a permanent residence permit in another EEA country; ○ a third-country national holding the EU Blue Card; ○ a third-country national holding a temporary residence permit for scientific research in Croatia (subject to conditions); or ○ a third-country national holding a residence and work permit as intra-corporate transferee; • has the right to autonomous stay in Croatia (subject to conditions); • authorised temporary residence on the basis of permanent residence in another EEA country; • holders of an EU Blue Card (issued to a highly qualified third-country national, subject to conditions); • holders of a work registration certificate, enabling stay and work in Croatia for up to 90 or 30 days in one calendar year, depending on the exact profession and/or purpose of work in Croatia. • authorised long-term residence; • authorised permanent residence; • third-country nationals participating in sports events.
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	<p>No.</p> <p>In Croatia, this permission is called a Residence and Work Permit, and is issued for a maximum period of one year, with a possibility of extension. Under the Croatian Foreigners Act (Official Gazette, No. 133/20), the permits are issued on the basis of the Economic Needs Test (the 'ENT'). Residence and Work Permits can also be issued without the need to conduct an ENT for deficit professions, as such are determined by the Croatian Employment Services. Equally, Residence and Work Permits valid up to 90 days can be issued for seasonal workers in agriculture, forestry, hospitality, and tourism sectors without an ENT.</p>
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<p>The current law in Croatia does not define specific categories of Residence and Work Permit. However, depending on applicable criteria for issuing such permits we can broadly differentiate the following categories:</p> <ul style="list-style-type: none"> • Residence and Work Permit issued on the basis of the ENT; • Residence and Work Permit for deficit professions;

		<ul style="list-style-type: none"> • Residence and Work Permit for seasonal workers; • Residence and Work Permit issued without the need to conduct the ENT (subject to conditions depending on the exact profession, and/or purpose and/or nature of work in Croatia); • Work Registration Certificate.
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	<p>The employee can apply at the Croatian diplomatic or consular office in his or her state of origin abroad, or at the competent Croatian Ministry of Interior office (a police station) in the place of work in Croatia if they do not require a visa. A Croatian employer can also apply for a residence and work permit on behalf of an employee.</p> <p>The competent Croatian Ministry of Interior office is required to issue the permit within a period of 15 days following submission of a complete application.</p>
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	Currently, total Government fees are around HRK 900 (approximately EUR 121).
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Croatia but living in another country from 1 January 2021?	<p>According to the Amendment rules, the UK nationals who are considered frontline workers on 30 December 2020, must apply for a so-called Frontline Pass which confirms their status as a frontline worker. The applications shall be submitted from 1 January 2021 to the competent Police station according to the place of work. The application must consist of:</p> <ul style="list-style-type: none"> • a valid passport or an ID card; and • a proof that they have performed business activity as frontline workers prior to 31 December 2020 and will continue this activity after that date. <p>Technical details for issuing the Frontline Pass shall be provided in the Ordinance issued by the Minister of Interior Affairs, which is still pending.</p>
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	After five uninterrupted years of legal stay in Croatia (subject to conditions).

6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<ul style="list-style-type: none"> • Applying for an EU residence card, or EU residence card for non-EU family members as soon as possible; • Applying for a permanent residence permit in Croatia or another EU country, if conditions are met; • Applying for Croatian, EEA or Swiss nationality, if conditions are met, but individuals should consider the consequences before doing so; • Preparing documents for family reunification with a Croatian or EU national, if relevant; • Preparing documents for a residence and work permit, or documents for securing another type of residence in Croatia not related to work (e.g. for humanitarian reasons, scientific research or education), or for securing their status under some other exemption expressly established by law (please see 3.1 above).
	Author	Andrej Žmikić, andrej.zmikic@dtb.hr Petar Zubić, Associate petar.zubic@dtb.hr DTB

[Back to top](#)

CZECH REPUBLIC

UPDATED: 15 JANUARY 2021

1.	<p>Guidance</p> <p>1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?</p>	<p>After 1 January 2021, UK nationals are considered third-country nationals (and will need a permission to stay or work in order to be able to enter the Czech Republic and to access the Czech labour market) with the following exceptions:</p> <ul style="list-style-type: none">• UK nationals (and their family members) who document that they started residing (working) in the Czech Republic during the transition period from 1 February 2020 to 31 December 2020 retain their right of residence and will not need permission to stay. These individuals will not need to obtain permission to work either but retain free access to the Czech labour market.• UK 'cross-border workers', i.e. frontier workers (who started working in the Czech Republic by the end of the transitional period, but without residing here permanently or temporarily) retain the right to maintain access to employment. They may apply for a special certificate (which is recommended), however, it is not necessary: according to the information provided by the Ministry of Labour and Social Affairs, it is sufficient if these workers are able to document that they retained the right to maintain access to employment (e.g. in the event of an inspection).• Posted UK workers will be allowed to finish the planned period of posting (a special permit will be issued to all these workers by the Labour Office; the Labour Office will contact the receiving entities and lead the through the process). According to the Ministry of Labour and Social Affairs recommendation, posted workers should continue to be treated in accordance with the Posted Workers Directive (and national transposing legislation). <p>As regards proof of residence, UK nationals may use any means deemed sufficient, such as an employment contract, confirmation of studies in the Czech Republic, possibly even a lease contract for a flat, etc. Unfortunately, no clear guidelines regarding the kinds of proof that are admissible have been published by the competent authorities. The Ministry of the Interior advised UK nationals to apply for</p>
----	--	--

		<p>a certificate of temporary or permanent residence prior to the end of 2020, however, UK nationals can apply even after the end of 2020.</p> <p>Information from the Ministry of Labour and Social Affairs is accessible here (in ENG).</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>A visa-free regime is expected for stays of no more than 90 days in any 180-day period. UK nationals will also not require a visa for the purposes of business travel to the extent and on the conditions agreed in the EU-UK Trade and Cooperation Agreement. This will apply to business visitors for establishment purposes (i.e. for the purposes of setting up an enterprise in the Czech Republic), intra-corporate transferees, short-term business visitors, contractual service suppliers, and independent professionals within the meaning of the EU-UK Trade and Cooperation Agreement. However, no national implementation measures or guidelines have been made available as yet</p> <p>However, should work (dependent employment) be performed in the Czech Republic for a local entity, the relevant permission for these purposes will generally be required.</p>
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>UK citizens should have passports with sufficient validity ready (for short-term stays not exceeding three months, passports should be valid for at least another three months after the end of the stay and should also not be more than ten years old).</p>
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	<p>Unless one of the limited exceptions listed under the EU-UK Trade and Cooperation Agreement or national legislation applies, UK nationals will, as a general rule, need special permission to work in the Czech Republic.</p>
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in the Czech Republic from 1 January 2021?	<p>With the exceptions stated above, UK nationals who travel to or start working in the Czech Republic after 1 January 2021 will, as a rule, be treated as third-country nationals.</p>

	<p>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</p>	<p>Quotas apply only with respect to specific countries. No quotas are currently in place with regard to the UK or UK nationals and, to our knowledge, no quotas are currently being considered.</p>
	<p>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</p>	<p>As regards the most common categories of permission to work, third-country nationals may work in the Czech Republic based on the following:</p> <ul style="list-style-type: none"> • employee card: generally, combines both permissions to stay and work; • blue card (for highly qualified workers): combines both permissions to stay and work; • intra-company employee transfer card combines both permission to stay and work; • work permit: permission to work (can be combined with a short-term Schengen visa or long-term visa/permission to stay). <p>Please note that third-country nationals do not always need permission to work. There are certain (very) limited exceptions, for example for short-term stays for work purposes (only for certain activities not exceeding seven consecutive days or a total of 30 days in a calendar year), posting of workers by employers residing in other EU member states pursuant to the Posted Workers Directive, stays for the purposes of family reunification or career preparation, etc.</p>
	<p>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</p>	<p>The timing very much depends on whether just stay or work or both are involved, as well as on the type of permission (or permissions: in some cases, a combination of multiple permissions might be necessary, i.e. one for stay, one for work). For example, processing of the employment card ('dual permission' to work and stay) takes approximately three months.</p>

	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	The fees due depend on whether it concerns just stay or work or both are involved, as well as on the type of permission (or permissions). For example, an employee card would cost CZK 1 000 (approximately GBP 34), an employment permit plus short-term Schengen visa (should it be required) would cost CZK 500 plus EUR 80 (i.e. approx. GBP 88), etc.
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in the Czech Republic but living in another country from 1 January 2021?	Unless a frontier worker started working in the Czech Republic prior to the end of 2020 (see above), s/he is to be regarded as a third-country national and would, as a rule, need permission to work in the Czech Republic.
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	Third-country nationals may obtain permanent residence after five years of legal stay in the Czech Republic . There are exceptions: for example, under certain conditions, permanent residence may also be granted after two years of uninterrupted temporary residence by the third-country national in the Czech Republic if such s/he is a family member of a Czech or EU citizen.
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>As stated above, UK nationals living and working in the Czech Republic prior to the end of 2020 may, under certain conditions, continue to live and work in the Czech Republic (especially if they are able to prove they meet the conditions).</p> <p>We recommend that UK nationals apply for a certificate of temporary or permanent residence as soon as possible: according to the information provided by the competent authorities, it should be possible to apply even after the end of 2020. In order to apply for a certificate of temporary residence, no limit on the length of prior stay in the Czech Republic has been set.</p> <p>Based on the information communicated by the authorities, the stay and work rights of UK nationals living and working in the Czech Republic prior to the end of 2020 should, however, be preserved (regardless of whether or not they obtain the</p>

		<p>certificate) provided that they have and can provide sufficient proof of status (see above, e.g. employment contract, confirmation of studies in the Czech Republic, lease agreement for a flat, etc.).</p> <p>An alternative approach may be for UK nationals to obtain permanent residency in another EU member state, if they are eligible.</p>
	Author	<p>Nataša Randlová, randlova@randls.com</p> <p>David Smolař, smolar@randls.com</p> <p>Randl Partners</p>

[Back to top](#)

DENMARK

UPDATED: 14 JANUARY 2021

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>The Danish government has taken several steps regarding UK nationals who used to live in Denmark under the rules on free movement for the purpose of ensuring that they can remain in Denmark on similar terms in accordance with the Withdrawal Agreement (WA).</p> <p>UK nationals and family members staying in Denmark as well as cross-border workers commuting to Denmark for work before 31 December 2020 must have applied for a new residence status before 31 December 2021. This also applies to UK nationals with permanent residence in Denmark under EU rules. They can remain in Denmark legally as previously while their applications are being processed. By doing so, UK nationals can retain their rights of residence after the end of the Transition Period on 31 December 2020.</p> <p>When applying for a new residence status during 2021, the applicant must provide documentation to prove that s/he met the requirements for residence under EU rules before the end of the Transition Period. This documentation includes, among other things, employment contract, copy of EU residence card and bank statements to document sufficient funds.</p> <p>The Danish Agency for International Recruitment and Integration (SIRI) has sent information letters to all UK citizens residing in Denmark with information on how to apply for the new residence permits.</p> <p>Further information as well as the wording of this letter can be found (in English) here.</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>Regulation (EU) 2019/592 came into effect on 1 January 2021 and has been ratified in Denmark (due to the Danish opt-out on criminal justice and home affairs).</p> <p>Under the regulation, UK nationals can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption applies from 1 January 2021.</p>

	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>Only a passport (or similar travel documentation) will be required. The passport must be valid for at least three months after the date of departure and must not have been issued more than ten years ago.</p> <p>Further, the normal conditions for visa-free entry must be met, including the requirement for sufficient means and documentation for the purpose of the stay, if requested.</p> <p>Please note that health documentation due to the COVID-19-situation may be required.</p>
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	<p>UK nationals will be able to participate in activities such as meetings or training on business travel, but will not otherwise be entitled to work or perform services in Denmark without a work permit.</p>
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Denmark from 1 January 2021?	<p>UK nationals who are not beneficiaries under the Withdrawal Agreement, see 1 above, must generally have a residence and work permit to be entitled to work in Denmark.</p> <p>Certain exemptions may apply, such as:</p> <ul style="list-style-type: none"> • short stays in accordance with the Trade and Cooperation Agreement, e.g. for meetings or training that can be undertaken without a work permit; • secondments under certain conditions; • the spouse of a third country national who holds a work permit will be able to work without a work permit of his or her own;

		<ul style="list-style-type: none"> third-country nationals with a permanent residence permit for Denmark are exempt from the requirement for a work permit.
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	No quotas apply.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<p>The most common scheme in Denmark is the Pay Limit Scheme under which the applicant must have a job offer with a minimum annual base salary of DKK 445,000 (approximately EUR 59,731.50).</p> <p>Other relevant schemes include the Positive List (for professions experiencing a shortage of qualified individuals) and schemes for trainees.</p> <p>All schemes are subject to specific requirements under Danish law.</p>
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	<p>The application procedure for the Pay Limit scheme takes approximately one month if all requested documentation is provided when filing the application.</p> <p>Both the employer and the candidate must fill out a part of the application form and the candidate must have his or her biometric features registered at a Danish embassy.</p>
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	Currently, the fee for applying for a permit under the Pay Limit Scheme is DKK 4,295 (approximately EUR 577).
4.	Frontier workers	Beneficiaries under the Withdrawal Agreement will retain their current entitlement to work in Denmark provided that they apply for a new residence status during 2021 (see 1 above).

	4.1 What formalities apply to UK frontier workers working in Denmark but living in another country from 1 January 2021?	UK nationals not covered by the WA can apply for a work permit as a frontier worker or cross-border worker in accordance with the provisions applicable to third-country nationals under Danish law such as the conditions under, <i>inter alia</i> , the Pay Limit Scheme or other applicable schemes.
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	As a starting point, third-country nationals must have stayed in Denmark for eight years. However, a four-year limit applies under certain circumstances. Permanent residence in Denmark is subject to a number of conditions. For example, the applicant must work and not have received public benefits and pass a Danish language test, among others.
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	UK nationals currently staying in Denmark must apply for a new residence status during 2021 in order to retain their residence entitlement under the Withdrawal Agreement. UK nationals could consider applying for Danish citizenship if the conditions are met. The Danish immigration authorities have announced, however, that a fast-track scheme or similar will not be established for UK nationals applying for Danish citizenship. Currently, the turnaround time is 20 months.
	Author	Elsebeth Aaes-Jørgensen, eaj@norrbohminding.com Norrbohm Vinding

[Back to top](#)

ESTONIA

UPDATED: 30 DECEMBER 2020

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>Yes.</p> <p>The residence of UK citizens and their family members who have resided in Estonia under EU law will continue to be regulated by the Citizen of the European Union Act with the specifications set out in the Withdrawal Agreement ('WA').</p> <p>UK citizens who have entered Estonia for the first time can register their place of residence in Estonia until 31 March 2021 and will be able to reside in Estonia without having to apply for a residence permit. In order to prove residence, the UK citizen must visit the office of the local municipality unit where they reside and submit a residence notice together with a copy of a document proving their right to use their residence premises (a tenancy agreement, for example).</p> <p>UK citizens who come to live, work or study in Estonia from 1 April 2021, must apply for a residence permit at a Police and Border Guard Board service office or in advance at an Estonian representation abroad. More detailed information about applying for a residence permit can be found on the webpage of the Police and Border Guard Board.</p> <p>No specific guidance is currently available on UK frontier workers other than what arises from the WA.</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No.</p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject to EU law (1 January 2021). UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>However, even if allowed to enter and stay visa-free they would only be allowed to work in Estonia for a maximum of five days in any 30-day period under such visa-free arrangement.</p>

	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<ul style="list-style-type: none"> • Travel documents (passport) that is valid for at least three months after departure from Estonia and has been issued within the last ten years. • Proof of duration and purpose of stay as border control may ask additional questions concerning duration and purpose of stay.
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	Additional permission is not required for business trips of a maximum of five days. For business trips exceeding five days, the short-term employment of the UK nationals will need to be registered in the Estonian Police and Border Guard Board.
3.	Employment and residence	
	3.1 Will UK nationals need permission to work and stay in Estonia from 1 January 2021?	<p>Yes, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> • holders of a permanent Estonian residence permit; • holders of a residence permit for studying in Estonia; • UK citizens who have registered their place of residence in Estonia until 31 March 2021. <p>-</p>
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	Yes , but UK nationals are exempt from the quota.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<p>The most common categories are:</p> <ul style="list-style-type: none"> • top specialists; • employees coming to Estonia for up to 365 days (who are exempted from the residence permit for work, but required to register short-term employment in Estonia).
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	<p>Up to two and a half months for the residence permit for work:</p> <ul style="list-style-type: none"> • Save for certain exceptions, the employer needs to apply for permission from the Unemployment Board, which is granted within seven working days. • A residence permit for work is issued or refused within two months of filing of the application.

		<p>Up to a month and a half for short-term employment:</p> <ul style="list-style-type: none"> • Short-term employment is registered within 15 working days from the employer's application. <p>After registration of short-term employment, the employee can apply for a long-term (type D) visa for work in Estonia and this application is processed within 30 days.</p>
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	<ul style="list-style-type: none"> • EUR 96-120 for applications for a residence permit for work (depending on whether the applicant applies in Estonia or from a foreign representation); • EUR 108 - 128 in total for short term employment registration and a visa (depending on the type of visa applied for).
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Estonia but living in another country from 1 January 2021?	<p>The WA applies, but no national regulation has been passed in order to implement the regulation of the WA on frontier workers.</p>
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>Five years of legal stay in Estonia (subject to conditions).</p>
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>UK citizens who enter Estonia until 31 March 2021 should register their place of residence in Estonia, as explained above.</p> <p>UK citizens entering Estonia after this date can (in the absence of any specific contingency rules):</p> <ul style="list-style-type: none"> • apply for Estonian/EEA or Swiss citizenship if conditions are met, but individuals should consider consequences before doing so; <p>prepare documents for family reunification with an EU national if relevant.</p>

	Author	Heili Haabu, heili.haabu@cobalt.legal Cobalt Law Firm
--	---------------	--

[Back to top](#)

FINLAND		
		UPDATED: 31 DECEMBER 2020
1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>Yes.</p> <p>Finland issued contingency rules that would apply in the event of a no-deal Brexit, approving a special act (370/2019) that entered into force on 30 March 2019 regulating UK citizens' right of residence in Finland after Brexit. The special act would only have become applicable from the date on which the UK withdraws from the EU without an agreement and expires on 31 December 2020.</p> <p>At the moment, the Finnish Immigration Service recommends British citizens living in Finland wishing to stay in Finland to:</p> <ul style="list-style-type: none"> • register a right of residence in Finland (if they have not already done so); and <p>apply for a certificate of the right of permanent residence of an EU citizen at the Finnish Immigration Service. More guidance on this is found below.</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No.</p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject to EU law. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption applies from 1 January 2021.</p> <p>However, even if allowed to enter and stay visa-free they might, depending on the circumstances, need a residence permit for an employed person, at least if they</p>

		<p>intend to stay and work in Finland for more than 90 days. A residence permit can be granted on the basis of either temporary work or work of a continuous nature. The residence permit is obtained via a single application procedure.</p>
	<p>2.2 What documents are needed on arrival for business travel from 1 January 2021?</p>	<p>As stated above, UK citizens will be able to stay for shorter periods of time in the Schengen area without a visa. However, in all cases, UK citizens will be required to provide a valid passport or travel document. A valid passport must be valid at least three months after the date of departure from Finland.</p> <p>In addition, the normal conditions for a visa-free entry must be met, such as having an insurance document for the duration of the stay and certain supporting documents, proof of sufficient funds and no entry ban to the Schengen area. Entry into the country can also be prohibited if they are considered to constitute a danger to the public order and security, public health, or Finland's relations with other countries,</p> <p>The Finnish authorities have stated that they will provide additional information when it becomes available.</p>
	<p>2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?</p>	<p>If UK nationals are in Finland on a business trip, they can spend a maximum of 90 days in Finland without needing to apply for a residence permit, and are considered visitors. If, however, they intend to work in a way which is not considered usual for a business trip, they will need to apply for a residence permit. This is a prerequisite for being allowed to work in Finland. In section 3, further details on the residence permit are provided.</p>
3.	<p>Employment and residence</p> <p>3.1 Do UK nationals need permission to work and stay in Finland from 1 January 2021?</p>	<p>Generally, yes. They would need a residence permit to work in Finland.</p> <p>Nevertheless, third-country nationals who have a right to stay in Finland (generally a visa) may have a right to work in Finland without a residence permit if they are employed as, for example, an interpreter, a teacher, a specialist or a sports judge or referee, or a professional artist, coach, athlete, or a member of an assistance or support team for such a person (please note that this is not an exhaustive list). In addition, they must have been invited to work in Finland or have signed a contract to work in Finland and work for a maximum of 90 days.</p>

		<ul style="list-style-type: none"> - A third-country national is also allowed to perform certain work tasks in Finland for a period of a maximum of 90 days without a residence permit. This includes, for example the work of a product demonstrator or film worker, a sailor, a permanent employee of a company in another EU/EEA country who comes to Finland to perform temporary acquisition or subcontracting tasks, or a driver of a vehicle whose task is to transport goods across the border. Please note that this is not an exhaustive list, and further details must be checked with the Finish Immigration Service.
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	No.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<p>Please find below the list of application categories for a residence permit:</p> <ul style="list-style-type: none"> • residence permit for an employed person; • entrepreneur; • start-up entrepreneur; • specialist; • EU Blue Card; • researcher; • degree completed in Finland; • internship through an exchange programme; • internship; • seasonal work; • employee of a religious community or a non-profit association; • working holiday; • internal transfer within a company (ICT); • intra-corporate transfer (Mobile ICT); • volunteering; • work in the field of science, culture or arts; • work in the field of mass media; • international organisations and cooperation between states; • preparation for an organisation's arrival in Finland and supervision of orders; • delivery of a machine or a system; • athlete, coach or trainer; • top and middle management; • visiting consultant or instructor;

		au pair.
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	As a general rule, the total processing time is about four months. In practice, processing times may be materially longer. There may be delays in processing times as a result of Brexit.
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	<p>The Government fees for residence permits varies somewhat between the different categories of the residence permits. An electronic application costs less than a paper application. The fees for a residence permit for work are the following:</p> <ul style="list-style-type: none"> • Electronic application fee: first permit EUR 490 / extended permit EUR 260; and <p>paper application fee: first permit EUR 640 / extended permit EUR 260.</p>
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Finland but living in another country from 1 January 2021?	The Withdrawal Agreement (WA) protects frontier workers. A frontier worker can apply for a document from the Finnish Immigration Service, which certifies his or her rights as a frontier worker and ensures easy travel between the EU countries. A frontier worker is a person who works, or pursues activities as a self-employed person, in an EU Member State but lives in another EU Member State.
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>As a general rule, third-country nationals may get a permanent residence permit if:</p> <ul style="list-style-type: none"> • they have lived in Finland continuously for four years with a continuous residence permit (the A permit); and • the requirements for granting a continuous residence permit still exist. <p>The continuous residence permit must still be valid when applying for a permanent residence permit.</p>
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>At the moment, the Finnish Immigration Service recommends British citizens who have been living in Finland before the transition period expires on 31 December 2020 to:</p> <ul style="list-style-type: none"> • change their permit type from an EU registration to a right of residence under the WA, or apply for a right of residence under the WA between 1 October 2020 and 30 September 2021;

		<ul style="list-style-type: none"> • apply for a right of permanent residence under the WA, if the British citizen has lived in Finland for an uninterrupted period of five years; or • If the British citizen has been issued a certificate of a right of permanent residence as an EU citizen, to apply to change the residence status into a permanent residence right under the WA. This change is free of charge. <p>The application fee for right of residence and right of permanent residence under the withdrawal agreement is EUR 48.</p>
	Author	<p>Suvi Knaapila suvi.knaapila@dittmar.fi</p> <p>Ricardo Gomes ricardo.gomes@dittmar.fi</p> <p>Dittmar & Indrenius</p>

[Back to top](#)

FRANCE		
UPDATED: 29 JANUARY 2021		
1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>On 6 February 2019, the French Government issued five orders.</p> <p>Order n°2019-76 determines the rights of UK citizens continuing to stay in France after Brexit. The main provisions applicable in the event of a no-deal Brexit are as follows:</p> <ul style="list-style-type: none"> • Implementation of a transition period (between three and 12 months as of the Brexit date): at the end of this transition period, UK citizens must be in possession of the appropriate permits allowing them to stay and carry out professional activities in France.

		<ul style="list-style-type: none"> • UK citizens who have been residing in France for less than five years as of the Brexit date must apply for a permit depending on their status (student, employee, temporary worker, etc.). • UK citizens who have been residing in France for at least five years will be entitled to residency card (valid for ten years). <p>All UK citizens who have been residing in France before 31 December 2020 need to apply for the new residency permit before 1 July 2021 on the following website: Saisine des services de l'État - Contacts-démarches - Démarches - Online residence permit application procedure for British nationals and their family members residing in France or coming to settle in France before 31 December 2020 - Saisine en ligne (interieur.gouv.fr).</p> <p>This includes UK citizens:</p> <ul style="list-style-type: none"> • with a European carte de séjour (even if it is marked 'permanent', or has no expiry date); • without a European carte de séjour (it is currently optional to have one); • applying for a second nationality; • married to or in a civil partnership with (known as PACSed) EU nationals; • who are recently arrived or well established in France. <p>Each person must make a separate application. Children under 18 do not need to apply, unless they need a residency permit to work or will turn 18 close to the application deadline.</p> <p>Other UK citizens, who arrive in France as of 1 January 2021, will have to apply for a residence permit at the prefecture.</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No, Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject to EU law. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 90-day period.</p>

		<p>The Schengen exemption applies from 1 January 2021.</p> <p>UK employees would need to obtain an ETIAS ('European Travel Information and Authorisation System') authorisation before travelling. This is an electronic system intended to ensure that visitors are not a threat to the security of the country. It is valid for three years or until the end of validity of the travel document registered during the application.</p> <p>Long stay:</p> <p>For longer stays, UK employees should obtain one of the work permits listed in section 3.4 below.</p>
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>The ETIAS document from 1 January 2021. An online application form must be filled out. The application requires a valid passport, answers to background questions (medical conditions, travel to conflict zones, criminal records, etc.) and payment of a EUR 7 fee.</p> <p>Travel documents (valid passport).</p>
3.	Employment and residence	
	3.1 Do UK nationals need permission to work and stay in France from 1 January 2021?	<p>UK citizens and their family members who began working in France prior to 31 December 2020 will not require a work permit. Only those who move to France and start working as of 1 January 2021 will be required to apply for a work permit, with the exception of family members of UK citizens already living in France prior to 31 December 2020.</p>
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	No.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<p>The work permit may take the form of either a visa or residence permit or a separate document.</p>

		<p>Visa / Residence permit:</p> <p>Documents leading to the automatic granting of work permits:</p> <p>'Private and family life' residence permit;</p> <ul style="list-style-type: none"> • 'talent' residence permit (mostly for foreigners with a French diploma and whose annual wage is higher than EUR 36,946.20); • 'posted worker' residence permit; • resident card (for foreign nationals who belong to defined categories: those with French children or a French parent, married to a French national, veteran, refugee, etc.); • long-term resident card (French resident for at least five years, among other conditions) <p>Documents leading to the granting of work permits after approval by the French labour administration (DIRECCTE):</p> <ul style="list-style-type: none"> • 'employee' residence permit (for employees with a permanent employment contract); • 'temporary worker' residence permit (for employees with a fixed-term employment contract); • 'seasonal worker' residence permit (for employee with seasonal employment contract). <p>The Government has announced that British nationals currently living in France will be able to obtain these visas and residence permits under simplified conditions. More information should be available in the near future.</p> <p>Separate work-permit:</p> <p>If a foreign worker does not have a residence permit or a visa that allows him or her to work, he or she may apply for a temporary work permit. This is issued for a maximum of 12 months, renewable.</p>
	<p>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</p>	<p>The processing time is usually four months for visas and residence permits and two months for the separate work permit once the application has been made.</p>

	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	<p>Visas and resident permits usually cost between EUR 250 and EUR 269. In addition, fees must be paid by the employer:</p> <ul style="list-style-type: none"> • When hiring for between three and 12 months: from EUR 74 to EUR 300 depending on the amount of the wage; • When hiring for more than 12 months: 55% of the monthly salary (capped). <p>Depending on the type of permission requested, the application can involve the fulfilment of certain conditions, which may increase the time required for the procedure (medical examination, conclusion of an employment contract, etc.).</p>
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>The permanent resident card can be obtained by holders of:</p> <ul style="list-style-type: none"> • A resident card granted to foreigners who belong to one of the eight categories defined by law (foreign national with family attachments in France, refugee, veteran, beneficiary of a work-related accident pension, etc.). • A long-term EU resident card granted to employees who have lived in France legally and continuously for at least five years. <p>Both cards are valid for ten years. When they expire, their holder may apply for a permanent resident card.</p>
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<ul style="list-style-type: none"> • Applying for an EU residence or permanent residence card as soon as possible. • Applying for French nationality. However, no specific procedures exist to facilitate access to French nationality for British citizens. <p>Applying for a residence permit under simplified conditions reserved for British nationals. In all cases, the request must be justified by one of the grounds of the</p>

		right of residence: exercise of a professional activity, having sufficient resources, pursuing training or being a family member of a French resident.
	Author	Stéphanie POUSSOU, paris@capstan.fr Anne-Laure PERIES, alperies@capstan.fr Capstan Avocats

[Back to top](#)

GERMANY

UPDATED: 14 JANUARY 2021

1.	<p>Guidance</p> <p>1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?</p>	<p>Yes.</p> <p>There are two categories of UK citizens:</p> <p>Category 1: UK citizens resident in Germany prior to or on 31 December 2020</p> <p>Subcategory a: Withdrawal Agreement applicable</p> <p>Under the Withdrawal Agreement (WA) concluded between the UK and the EU, UK citizens and family members resident in Germany by 31 December 2020 can live and work in Germany beyond this date if they fulfil the prerequisites stated in the WA. They must register with the local foreign nationals office in Germany to obtain a 'Residence Document-GB' (Aufenthaltsdokument-GB) to prove their status by 30 June 2021.</p> <p>Subcategory b: WA not applicable</p> <p>UK citizens resident in Germany under the rights granted to them under the German Free Movement Act/EU (FreizügG/EU) by 31 December 2020 who do not fulfil the prerequisites of the WA (this may, for example, apply to seconded employees) are granted a transition period until 31 March 2021, during which they must apply for a residence/work permit (s80a of the Residence Regulation / AufenthV). They do not need a residence permit to continue to live in Germany until 31 March 2021 and are permitted to continue employment which they have started in 2020 until a decision has been made regarding their residence / work permit application.</p> <p>Category 2: UK citizens who move to Germany on or after 1 January 2021</p> <p>The WA and the transition period do not cover UK citizens who move to Germany on or after 1 January 2021. Therefore, they must apply for a residence/work permit to live and work in Germany if they are not only coming for a short stay for tourist or specific business purposes, which can be conducted visa-free (see below). Favourable prerequisites apply to some residence/work permit applications by UK citizens.</p>
----	--	---

		Please see 4 below for information on frontier workers.
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No.</p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period from 1 January 2021.</p> <p>However, even if allowed to enter and stay visa-free, UK citizens might need a visa if the activity conducted in Germany is considered employment in Germany. There are some exceptions from activities being considered employment (s30 of the Employment Regulation, BeschV). For example, a business trip of 90 days within 180 days is not considered employment in Germany if it fulfils the following prerequisites:</p> <ul style="list-style-type: none"> • The foreign citizen is employed abroad in the commercial or trading sector by an employer domiciled in Germany. • The foreign citizen is conducting meetings or negotiations in Germany, preparing contract offers, concluding contracts or supervising the execution of a contract for an employer domiciled abroad. • The foreign citizen is establishing, monitoring or managing a German part of a corporation for an employer domiciled abroad. <p>Employers and employees are advised to carefully check prior to travel if the activity may be considered employment in Germany. If it is considered employment and is not exempt from being considered employment under s30 of the Employment Regulation, a work visa will be required to conduct the trip. If this work visa is not obtained prior to the trip, the trip may be considered illegal employment with consequences for employee and employer (e.g. fines).</p> <p>Further exceptions from the requirement for a work/residence permit are applicable under 4.1 to 4.6 of the SERVIN (service industries) Annex to the Trade and Cooperation Agreement between the EU and the UK.</p>

		Please further note that, as UK citizens are no longer privileged with regards to COVID-related travel restrictions, they must now meet the requirements posed by travel restrictions applicable to third-country nationals when travelling into Germany, in addition to the above requirements. Additionally, the ban on transport from the UK and South Africa has been extended until 20 January 2021. Moreover, local quarantine requirements must be met.
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	Travel documents (a valid passport) with a validity of no more than ten years that is valid for at least three months after departure from Germany. Proof of duration and purpose of stay as border control may ask additional questions concerning the duration and purpose of stay.
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	Yes. UK nationals will need a work visa permitting the activity in Germany if their work for business travel is not exempt from being considered employment (see 2.1 above).
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Germany from 1 January 2021?	Yes. Category 1 citizens fall under the transitional periods outlined in 1.1 and need to apply for the documents outlined above within those periods. Category 2 citizens must obtain a visa permitting them to conduct gainful employment or work as a self-employed individual in Germany prior to entry.
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	No.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	EU Blue Card: main prerequisites: <ul style="list-style-type: none"> • university degree and an appropriate local job offer in Germany with annual remuneration of at least EUR 56,800 gross in 2021;

		<ul style="list-style-type: none"> • in occupations with employee shortages (e.g. medical doctors, engineers): university degree and an appropriate local job offer in Germany with annual remuneration of at least EUR 44,304 gross in 2021. <p>Residence/work permit for purposes of conducting academically skilled employment (Aufenthaltserlaubnis zum Zweck der Beschäftigung für Fachkräfte mit akademischer Ausbildung): main prerequisites:</p> <ul style="list-style-type: none"> • a local job offer in Germany in a skilled job; • a university degree recognised in Germany; • labour market test: the employee will especially not be employed under less favourable working conditions than comparable national workers. <p>Residence/work permit for purposes of employment (Aufenthaltserlaubnis zur Ausübung einer Beschäftigung): main prerequisites:</p> <ul style="list-style-type: none"> • Can only be granted to citizens of 'best friend states', such as the UK citizens. • Job offer in Germany (local employment or secondment, irrespective of where the employer is domiciled). • Labour market test: <ul style="list-style-type: none"> ○ The employee will especially not be employed under less favourable working conditions than comparable domestic employees. ○ German citizens, EU citizens or other foreign nationals who have the same rights of access to the German labour markets are unavailable for employment.
	<p>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</p>	<p>Appointment waiting time: As UK citizens can choose to either apply for a visa at the competent German mission abroad or at the competent local German foreigner office in Germany after travelling to Germany, appointment waiting times vary widely according to the authority. Some local foreigner offices offer a drop-in service whereas missions usually operate on an appointment-only basis.</p> <p>Processing time: Depending on the permit, the processing time can vary between a few days and around eight weeks.</p>

	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	Usually between EUR 75 and 150.
4.	Frontier workers 4.1 What formalities will apply to UK frontier workers working in Germany but living in another country from 1 January 2021?	Frontier workers within the meaning of the WA continue to have the right to work in Germany on the basis of the WA, but not to live there. Frontier workers must obtain a 'Residence Document for Frontier Workers-GB' (Aufenthaltsdokument für Grenzgänger-GB) from the local foreign nationals office at their place of work in Germany.
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	Usually, five years of legal stay in Germany (subject to conditions). This is shortened to 33 months if the foreign citizen holds an EU Blue Card and 21 months if s/he also speaks B1-level German. Extremely highly qualified foreign citizens (e.g. university professors) may obtain it immediately.
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	Apply for the necessary documentation outlined above within the deadlines outlined above.
	Author	Julia Uznanski, julia.uznanski@kliemt.de KLIEMT.HR Lawyers

[Back to top](#)

GREECE

UPDATED: 15 JANUARY 2021

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>Yes.</p> <ul style="list-style-type: none">• A Joint Ministerial Decree No. 4000/1/113-a /2020 was adopted on 19 October 2020. The Decree enables the implementation of the Withdrawal Agreement (WA) to be put into force on 31 January 2020 by specifying the process to be followed for issuing residence permits to UK nationals and their family members wishing to continue to reside in Greece after the end of the transition period. It provides for the competent authorities that will issue the residence documents, the duration of residence permits, the date from which a beneficiary of the WA can apply for a residence permit and other relevant issues. In accordance with article 9 of the Joint Ministerial Decree, these residence permits granted in implementation of article 18 par. 4 of the WA give full market access.• According to art 18(4) of the WA, Greece will protect residency rights to UK citizens holding a registration certificate or a permanent residence document under EU free movement law before the end of the transition period. These documents are provided for in the Greek Presidential Decree 106/2007, implementing the Free Movement Directive (2004/38/EC). They are evidence of exercising free movement rights in Greece under EU law before the end of the transition period and can prove that their holders are beneficiaries of the WA. <p>Nevertheless, holding a residence document issued under the Free Movement Directive is not decisive of a UK national's status as beneficiary of the WA. The non-registration and the non-issuance of a document provided for in the Greek Presidential Decree 106/2007 before the end of the transition period does not exclude UK nationals and their family members from the scope of the WA. However, in this case, they are required to prove by other means that they exercised their right to reside in Greece</p>
----	---	--

		<p>in accordance with EU law before the end of the transition period and continue thereafter.</p> <ul style="list-style-type: none"> The WA also protects UK frontier workers who exercised their relevant right in one or more Member States in accordance with EU law before the end of the transition period. These workers can continue to do so after the transition period expires and enjoy the rights guaranteed by Article 45 TFEU and the rights granted by Regulation (EU) No 492/2011 of the European Parliament and of the Council, in accordance with article 24 of the WA. UK frontier workers may be required to apply to the Greek authorities for a new document certifying their rights as frontier workers.
2.	<p>Business travel</p> <p>2.1 Do UK employees need a business visa from 1 January 2021?</p>	<p>It depends on the period of stay.</p> <p>In view of Brexit, the EU and its 27 Member States have reviewed the Visa Regulation to provide for the inclusion of the UK, after its withdrawal from the EU, in the list of countries that enjoy a visa-free regime in the EU, for short-term stays and visits. This allows British citizens to visit any EU country for tourist or business purposes, visa-free, for 90 days within an 180-day period.</p> <p>Further exceptions from the requirement for a work/residence permit are applicable under 4.1 to 4.6 of the SERVIN (service industries) Annex to the Trade and Cooperation Agreement between the EU and the UK.</p> <p>Third-country nationals coming to stay and work in Greece for more than 90 days require a national visa as well as (usually) a corresponding residence permit for employment and business purposes. The type differs depending on the type of work involved. The same applies for the required documents. For more details about the types of national visa and residence permit for employment and business purposes see 3.3 below.</p>
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>UK nationals will need a national identity card or a valid passport which was issued within ten years preceding the date of travel and which remains valid for at least</p>

	<p>three months after the intended date of departure from the EU. UK citizens' family members who are not EU citizens are required to provide a valid passport.</p> <p>In accordance with article 14 of the WA, five years after the end of the transition period, the host State may decide to stop accepting national identity cards for the purposes of entry to or exit from its territory if these cards do not include a chip that complies with the applicable International Civil Aviation Organisation standards related to biometric identification.</p>
<p>2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?</p>	<p>Regarding UK nationals falling under the personal scope of the WA, UK citizens holding a residence permit with the annotation 'article 18 (4) of WA' or 'Permanent Residence' and their family members have full market access.</p> <p>In accordance with article 24 paragraph 3 of the WA, employed frontier workers shall enjoy the right to enter and exit the state of work and retain the rights they enjoyed as workers there, provided they are in one of the following circumstances (points (a), (b), (c) and (d) of Article 7(3) of Directive 2004/38/EC) apply, even where they do not move their residence to the state of work:</p> <ul style="list-style-type: none"> • Temporary inability to work as the result of an illness or accident. • Registration for involuntary unemployment after having been employed for more than one year and registration as a job-seeker with the relevant employment office. • Registration for involuntary unemployment after completing a fixed-term employment contract of less than a year or after having become involuntarily unemployed during the first twelve months and registration as a job-seeker with the relevant employment office. In this case, the worker will retain his or her status for no less than six months. • Starting vocational training. Unless s/he is involuntarily unemployed, the retention of the status of worker shall require the training to be related to the previous employment. <p>For UK nationals not falling within the personal scope of the WA, see 2.1 above and 3.1 below.</p>

3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Greece from 1 January 2021?	<p>Yes.</p> <p>UK nationals need to apply for a residence permit or just a national visa in the event of temporary residence, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> • family members of an EU national or a non-EU national who has authorisation to work (subject to conditions prescribed respectively by the the Greek Presidential Decree 106/2007 and the Law 4251/2014 according to the specific type of residence permit); • holders of a permanent Greek residence permit (individuals who have stayed in Greece for five years continuously and are members of the family of a Greek national); • business visitors for establishment purposes in accordance with article SERVIN 4.2 of the Trade and Corporation Agreement between the EU and the UK and short-term business visitors in accordance with article SERVIN 4.3 of the before-mentioned agreement (covered only for a period up to 90 days within any six-month period).
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	<p>Yes.</p> <p>Quotas are established in a joint ministerial decision issued by the Ministers for the Interior, Foreign Affairs, Development & Competitiveness, Shipping & The Aegean, Labour, Social Security & Welfare.</p> <p>This decision is issued during the last quarter of every other year and determines the maximum number of paid employment posts offered to third-country nationals per region and speciality.</p> <p>However, the SERVIN (service industries) Annex to the Trade and Cooperation Agreement states that parties to it cannot impose numerical quotas on entry and temporary stay, on business visitors for establishment purposes in specific sectors, on intra-corporate transferees, on contractual service suppliers and on independent professionals of the other Party.</p>

3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?

Greek Immigration Law 4251/2014 provides for a residence permit for employment and business purposes for five categories:

- Employees with a dependent employment relationship or provision of services or provision of work.
- Special purpose employees. The category of special purpose employees includes nationals wishing to enter and settle in Greece under a special law, bilateral agreements or to serve the public interest, culture, sports and the national economy. This category can include, for example, executives and officials of companies with activities in Greece subject to conditions, press correspondents, foreign athletes and others).
- Individuals who want to practise investment activity (e.g. an investment which will have positive effects on national development and economy or an investment in securities or a bank deposit in Greece amounting to at least EUR 400.000).
- Highly qualified employees ('EU Blue Card').
- Employees subject to Intra-company transfer (ICT).

There is also provision for temporary residence with a national visa for several categories of employment such as:

- seasonal employment of third-country nationals;
- fishermen;
- members of artistic groups;
- intellectual creators (for example authors, writers, directors, painters, sculptors, actors, musicians, singers, choreographers and stage designers);
- third-country nationals transferred from undertakings established in a Member State of the EU or the EEA with the aim to provide specific services;
- third-country nationals transferred from undertakings established in a third-country with the aim to provide specific services;
- leaders of organised tourism groups;
- athletes, coaches and specialised sports personnel;
- higher education students participating in remunerated traineeship programmes.

	<p>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</p>	<p>Greek legislation provides for a four-month period for the issuance of the permits unless there is a different, specific provision. When it is decided that additional supporting documents are needed, the competent service notifies the applicant to submit the documents within a reasonable period of time that cannot exceed two months. Please note that due to the high number of third-country nationals residing in Greece and the relative migration flows, it has often appeared challenging for the competent authority to issue residence permits within the above period. However, it is important to underline that when applying for the issuance of a residence permit, the competent authorities provide the applicants with a certificate of receipt (blue paper), which permits the third-country national to lawfully stay and work in Greece until the authority issues the residence permit.</p>
	<p>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</p>	<p>Fees range depending on the type of residence permit and its duration. For instance, the fee amounts to EUR 150 for residence permits up to one year and EUR 600 for residence permits up to ten years.</p>
<p>4.</p>	<p>Frontier workers</p> <p>4.1 What formalities apply to UK frontier workers working in Greece but living in another country from 1 January 2021?</p>	<p>UK frontier workers will need to submit an application to the appropriate Greek authorities to request a new document that certifies that they are frontier workers protected by the WA.</p>
<p>5.</p>	<p>Permanent residence</p> <p>5.1 From what date are third-country nationals entitled to apply for permanent residence?</p>	<p>In order to obtain permanent residence, a third-country national needs to complete five years of consecutive stay in Greece (subject to conditions).</p>
<p>6.</p>	<p>Securing residence and work status</p>	<p>UK nationals who benefit from the WA may apply for a ten-year residence permit if they already hold permanent residence in Greece, otherwise they can apply for a five-year residence permit. The starting date for the submission of applications for</p>

	6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>these residence permits is 1 January 2021 and the closing date for their submission is 30 June 2021.</p> <p>UK nationals and their family members, who are also citizens of the UK can submit an application for a residence permit to the competent Greek authorities. The starting date for the submission of applications is 1 January 2021 and the closing date is 30 June 2021. Applicants must be careful to provide all necessary documents along with biometric data.</p> <p>UK nationals can apply for Greek citizenship if conditions are met.</p> <p>UK nationals can request family reunification with an EU national, if conditions are met.</p>
	Author	<p>Roubini Michaloudi rmichaloudi@kremalis.gr Hara Pitaridi hpitaridi@kremalis.gr</p> <p>KREMALIS Law firm</p>

[Back to top](#)

HUNGARY			UPDATED: 30 NOVEMBER 2020
1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>Yes.</p> <p>The Hungarian Parliament has adopted an Act [Act XV of 2019] on a potential no-deal Brexit. The act will enter into force from the date when UK leaves the EU without an agreement, if this happens.</p> <p>The Act covers the following topics:</p>	

		<ul style="list-style-type: none"> • unemployment benefits; • health care; • pensions; • immigration status; • the legal status of lawyers working in Hungary. <p>No guidance has been issued regarding evidence of residence in Hungary or on the status of UK frontier workers.</p> <p>Regarding the immigration status of UK citizens, the Act states the following: UK citizens can continue to hold the same status as EU citizens for three years after leaving the EU if they have a Registration Certificate for EEA Nationals or a Permanent Residence Card prior to the date of the UK's exit. Further, after three years uninterrupted stay in Hungary they may request a National Permanent Residence Permit, and after 5 years of uninterrupted stay in Hungary, UK citizens may also apply for EC residence permit.</p> <p>UK citizens coming to Hungary after Brexit shall be considered as third-country nationals (i.e. they will have to request residence and a work permit according to the general rules applicable to any other third-country nationals).</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No.</p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject to EU law. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption applies from 1 January 2021.</p> <p>Third-country nationals coming to stay and work in Hungary for more than 90 days require a residence and work permit. The permit is obtained via a single application procedure encompassing both permissions to work and to reside in Hungary for more than 90 days. The type of permit depends on the purpose of the residence in Hungary.</p>

	<p>2.2 What documents are needed on arrival for business travel from 1 January 2021?</p>	<p>Travel documents (valid passport) with a validity of no more than ten years that is valid for at least three months after departure from Hungary.</p> <p>Proof of duration and purpose of stay as border control may ask additional questions concerning duration and purpose of stay.</p> <p>In additional, if they become third-country nationals, UK citizens will require a business visa. In this process the following documents have to be submitted:</p> <ul style="list-style-type: none"> • invitation letter; • a certificate from the employer allowing the business travel; • proof of trade relations between the companies (if any); • business bank statements for the last six months; • memorandum of association; • declaration on how the applicant's costs will be covered during their stay in Hungary/Schengen zone. <p>Unless they stay in a hotel or guest house, UK business travellers will need to notify the appropriate communal administration of their place of stay within three days if they stay for more than 30 days.</p>
	<p>2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021 in the event of no deal?</p>	<p>No, if it does not exceed the 90-day period.</p>
3.	<p>Employment and residence</p> <p>3.1 Do UK nationals need permission to work and stay in Hungary from 1 January 2021?</p>	<p>UK citizens with a Registration Certificate for EEA Nationals or a Permanent Residence Card prior to the date of Brexit will not need to apply for a work permit.</p>

		<p>In any other cases, UK citizens have to apply for a work permit, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> • family members of an EU national or a non-EU national who has authorisation to work (subject to conditions); • they work as a head of the branch and representative office of the third country company; • holders of an EU Blue Card.
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	<p>Yes, the highest number of third country nationals that can be employed in Hungary is laid down in a ministerial decree [19/2015. (VII.3.) NGM decree, Section 2 (2)]. It provides that the number of third-country nationals employed simultaneously with a work permit in Hungary may not exceed the monthly average of employment demand notified in the year preceding the subject year (i.e. in 2019: 57,000 employees).</p>
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<p>The most common categories are the following:</p> <ul style="list-style-type: none"> • leading personnel; • trainees (subject to conditions); • highly qualified and special profiles (subject to conditions); • certain medium-skilled profiles (only for shortage professions listed in a dynamic shortage profession list); • profiles that fall into a residual category subject to a labour market test; • seasonal permits for works not exceeding six months (can be extended by a maximum of six additional months); • work permit for assignment purposes.
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	<p>The procedure may take up to 70 days.</p>

	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	EUR 60 / HUF 18,000 (Additional costs e.g. translation, photographs should be taken into consideration)
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Hungary but living in another country from 1 January 2021?	A permit may be needed which proves the frontier worker's status. However, the detailed provisions are not yet available.
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	Five years of legal and uninterrupted stay in Hungary or in the EU (subject to conditions).
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<ul style="list-style-type: none"> • Applying for an EU residence card as soon as possible. • Applying for an EU permanent residence card if conditions are met. • Applying for Hungarian nationality if conditions are met, but individuals should consider consequences before doing so. • Preparing documents for family reunification with an EU national if relevant.
	Author	Henrietta Hanyu, henrietta.hanyu@clvpartners.com CLV Partners

[Back to top](#)

IRELAND

UPDATED: 11 JANUARY 2021

1.	<p>Guidance</p> <p>1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?</p>	<p>Yes.</p> <p>The Irish Department of Foreign Affairs issued guidance on Preparing for Brexit, which includes information on the Common Travel Area that applies to British and Irish citizens.</p> <p>Ireland has a unique relationship with the UK whereby the Common Travel Area (CTA) between Ireland and the UK (including Jersey, Guernsey and the Isle of Man) has existed since 1922, with its modern inception coming into force in 1952. The CTA is not reliant on membership of the European Union. It is based on legislation and bilateral agreements between Ireland and the UK. Therefore, if an Irish or British citizen is living or working in a part of the CTA, they will not be required to take any action to protect their status or rights associated with the CTA.</p> <p>In response to Brexit, the Government of Ireland and the UK signed a Memorandum of Understanding, reaffirming their commitment to maintaining the CTA in all circumstances. Through the Memorandum of Understanding, both Governments committed to undertaking all the work necessary, including through legislative provision, to ensure that the agreed CTA rights and privileges are protected.</p> <p>Accordingly, the Irish legislature enacted the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020 ('the Act'). The Act is primarily designed to reduce the possibility of serious disturbance in the Irish economy in the event of Brexit. As part of the Act there is provision to maintain the integrity and operation of the CTA and to ensure that the CTA rights continue.</p> <p>The operation of the CTA has been unaffected by Brexit and has been recognised in Brexit negotiations. There is agreement under Article 3 of the Protocol on Northern Ireland and Ireland that the UK and Ireland 'may continue to make arrangements between themselves relating to the movement of persons between their territories'. It further states that the UK shall ensure that the CTA and the rights and privileges associated with it can continue to apply without affecting the obligations of Ireland under Union law.</p> <p>Therefore, Irish citizens and British citizens continue to have the same reciprocal rights associated with the CTA which include the right to work, study and vote, access to social welfare benefits and health services. Irish and British citizens will be able to continue to travel freely within the CTA without seeking immigration</p>
----	--	--

		<p>permission from the authorities. The CTA has been unaffected by Brexit negotiations and there has been no change to the Irish or UK approach to immigration and travel that falls within the CTA rules. Consequently, British citizens are not required to seek immigration permission from the Irish immigration authorities to travel to Ireland and there will be no routine immigration controls on journeys within the CTA.</p> <p>Arrangements have been put in place by the Irish Government for non-EEA nationals who are a family member or dependent of a British citizen who as of 31 December 2020 hold a valid Irish Residence Permit (IRP) Card. These individuals will continue to hold the same residence rights to live, work or study in Ireland. They will simply be required to exchange their current valid IRP Card for a new one. This card exchange programme applies from 1 January 2021 and will be administered by the Immigration Service of the Department of Justice.</p> <p>All non-EEA family members or dependents of British citizens who are seeking to join or accompany the British citizen to live in Ireland after 23:00 on 31 December 2020 will need to apply for permission through a preclearance or visa scheme (depending on their nationality). This scheme applies to both visa required and non-visa required nationals.</p> <p>Non-British citizens arriving in Ireland from the UK will need to ensure that they follow Ireland entry clearance requirements and standard Non-EEA citizen rules will continue to apply to entry to Ireland.</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>Not if they are British citizens.</p> <p>The UK's withdrawal from the EU has not affected the right of British citizens to travel and work within the CTA. The associated rights and entitlements attaching to the CTA have been protected by the Act. The associated rights and entitlements include the right to work within the CTA without being subject to a requirement to obtain permission.</p> <p>If they are non-EEA employees (who are not British citizens) they are likely to require a business visa to travel to Ireland.</p>
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	This will depend on the nationality of the person travelling.

	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	No. The UK's withdrawal from the EU has not affected the right of British citizens to work within the CTA. The associated rights and entitlements attaching to the CTA have been protected by the Act. The associated rights and entitlements include the right to work without being subject to a requirement to obtain permission.
3.	Employment and residence	No. The UK's withdrawal from the EU has not affected the right of British citizens to work within the CTA. The associated rights and entitlements attaching to the CTA have been protected by the Act. The associated rights and entitlements include the right to work without being subject to a requirement to obtain permission.
	3.1 Will UK nationals need permission to work and stay in Ireland from 1 January 2021?	The UK's withdrawal from the EU has not affected the right of British citizens to work within the CTA. The associated rights and entitlements attaching to the CTA have been protected by the Act. The associated rights and entitlements include the right to work without being subject to a requirement to obtain permission.
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	An employment permit will not be issued unless at the time of application at least 50% of the employees in the employer organisation are EEA nationals or nationals of the Swiss confederation or a combination of both. This rule is waived in limited circumstances. The Act amended current employment permit legislation in Ireland so that citizens of the United Kingdom and Northern Ireland will be counted when calculating the 50% threshold.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	Not applicable.
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	Not applicable.
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	Not applicable.
4.	Frontier workers	
	4.1 What formalities will apply to UK frontier workers working in Ireland but living in another country from 1 January 2021?	The UK's withdrawal from the EU has not affected the right of British citizens to work within the CTA. The associated rights and entitlements attaching to the CTA have been protected by the Act which include the right to work without being subject to a requirement to obtain permission. Therefore, British citizens working in Ireland but

		holding their primary residence in the UK are not required to apply for any form of frontier work permit in order to work in Ireland.
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>British citizens are not required to obtain permanent residence in Ireland. This arrangement is to continue after Brexit.</p> <p>Under the CTA, UK and Irish nationals enjoy a range of reciprocal rights, which include the right to enter and reside in each other's state without being subject to a requirement to obtain permission.</p> <p>All non-EEA family members or dependents of British citizens who are seeking to join or accompany a British citizen to live in Ireland after 23:00 on 31 December 2020 will need to apply for permission through a preclearance or visa scheme (depending on their nationality). This scheme applies to both visa required and non-visa required nationals.</p> <p>Non-EEA nationals and their families have a right to apply for permanent residence once they have a five-year uninterrupted period of residence in Ireland.</p>
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>None.</p> <p>As above, under the CTA, UK and Irish nationals enjoy a range of reciprocal rights, which includes the right to enter and reside in each other's state without being subject to a requirement to obtain permission.</p>
	Author	<p>Declan Groarke, declan.groarke@lewissilkin.com</p> <p>Lewis Silkin Ireland</p>

[Back to top](#)

ITALY**UPDATED: 11 JANUARY 2021**

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>According to Law Decree no. 22/2019 which entered into force on 26 March 2019 and is still in force, UK citizens and their families who have been residing in Italy for at least five years at the date when Brexit took effect could ask for a long-term residence permit from the local relevant police department before 30 December 2020.</p> <p>If the five years requirement is not met, UK citizens and their families could ask for a permit called 'for residence' which is valid for five years.</p> <p>Starting from 1 January 2021, UK citizens are treated as third-country nationals.</p> <p>For Italian citizenship purposes, UK citizens will be assimilated to EU citizens until they take the oath for Italian citizenship, provided that they had been residing in Italy for at least four years at the date when Brexit became effective and they had applied for Italian citizenship by 31 December 2020.</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No.</p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject to EU law. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption applies from 1 January 2021.</p> <p>The border authorities can in any case ask for documentation justifying the reasons and duration of the stay in Italy.</p>
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>For stays no longer than 90 days, UK citizens will only require a valid travel document. The border authorities can in any case ask for documentation justifying the reasons and duration of the stay in Italy.</p>

	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	No , as long as the business travel lasts a maximum of 90 days in any rolling 180-day period.
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Italy from 1 January 2021?	Yes , as a general rule.
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	Yes , they apply. A specific decree called ' <i>Decreto flussi</i> ' provides quotas for employment, seasonal work, and self-employment every year. In addition to this, there are some particular cases in which entry outside quotas is allowed (e.g. highly specialised workers, executives or lecturers).
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	The main categories of work permit (which depending on the case may or may not be subject to quotas) are employment, self-employment and seasonal work. Specific types of permit for work purposes related to certain workers (executives or highly specialised employees, academics etc.) are also provided.
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	It depends on the kind of permit to work requested. In any case it may last 60 days minimum. In most cases, a few months may be needed. The procedure will also depend on the date on which the decree setting the maximum number of non-EU employees allowed to get a work visa is published by the Italian government.
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	For a first work permit, the costs are as follows: <ul style="list-style-type: none"> • 1 stamp of EUR 16 for the request form; • EUR 30 for the registered letter to be sent to the competent police department;

		<ul style="list-style-type: none"> • EUR 30,46 for the release; • minimum EUR 80 and maximum EUR 130 depending on the kind of permit.
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Italy but living in another country from 1 January 2021?	<p>Assuming that the UK frontier worker lives in another EU country in compliance with the rules of that state, no additional formalities are required for coming in Italy for work reasons.</p> <p>In the event that the UK frontier worker lives in a non-EU country, the worker's formalities have to be compliant with the specific agreement between that state and EU. A case-by-case analysis is needed.</p>
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>A third-country national can obtain permanent residence if s/he has had a regular residence permit for at least five years. In addition, he or she has to meet some requirements (minimum income requirement, adequate accommodation, passing an Italian language test).</p>
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>For those who are already living or working in Italy, the safest path is to start the procedures to benefit from the measures explained in question 1 as soon as possible. From 1 January 2021 UK nationals are considered non-EU citizens (with some exceptions).</p>
	Author	<p>Valeria Morosini, svm@toffolettodeluca.it</p> <p>Toffoletto De Luca Tamajo e Soci</p>

[Back to top](#)

LATVIA

UPDATED: 17 JANUARY 2021

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>Yes.</p> <p>On 21 March 2019 the 'Law on Application of the Legal Framework after the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union' was adopted.</p> <p>Until 30 June 2021, UK citizens and their family members who entered Latvia and applied for the EU residence card before 31 December 2020 can apply for a new residence permit at the Office of Citizenship and Migration Affairs (OCMA) by submitting an application (template available at https://www.pmlp.gov.lv/sites/pmlp/files/iesniegums_akpilsoni_eng1.doc) enclosing a copy of their passport. The application can be submitted via mail or courier service or electronically, using a secure electronic signature.</p> <p>The new residence card will identify UK citizen as having been legally resident in Latvia before the end of the Transition Period on 31 December 2020 and therefore eligible for citizens' rights in Latvia which are guaranteed by the Withdrawal Agreement.</p> <p>If UK citizens and their family members fail to submit an application for a new document confirming their right to reside in Latvia until 30 June 2021, their previously issued residence documents will be cancelled and their further stay in the Republic of Latvia will only be possible as third-country nationals in accordance with the Immigration Law.</p> <p>UK citizens who enter Latvia after 31 December 2020 enter and stay in Latvia as third-country nationals in accordance with the Immigration Law.</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No, Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject to EU law. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p>

		The Schengen exemption applies from 1 January 2021.
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>Travel documents (valid passport) with a validity of no more than ten years valid for at least six months after departure from Latvia.</p> <p>Proof of duration and purpose of stay as border control may ask additional questions concerning duration and purpose of stay.</p>
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	<p>No.</p> <p>However, please note that in Latvia, business visitors must generally limit their activities to the following:</p> <ul style="list-style-type: none"> • attending internal meetings, discussions, conferences or training seminars; • attending client meetings; • undertaking sales or marketing activities, such as making sales calls to potential clients, or negotiating a business deal or contract; • exploring business opportunities. <p>A work permit is required for operations and activities to be performed on the basis of a contract.</p> <p>For a duration under 14 days within a 180-day period, visitors can undertake any activity, including work activities. To reside and work in Latvia for more than 14 days UK nationals require additional permission to work.</p>
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Latvia from 1 January 2021?	<p>Yes, to work in Latvia UK nationals should obtain a visa/residence permit with work permit, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> • holder of a permanent residence permit or a residence permit as a long-term resident of the European Union in the Republic of Latvia; • holder of a temporary residence permit as the spouse of a Latvian citizen, a non-citizen of Latvia or a foreigner who has received a permanent residence permit;

		<ul style="list-style-type: none"> holder of a temporary residence permit as a person who has been granted the status of a long-term EU resident in another EU member state, or as a family member of such person who has been staying in Latvia with a temporary residence permit and wishes to be employed in the Republic of Latvia; holder of a temporary residence permit as a person who has made an investment in the equity capital of a capital company or as a family member of such a person; holder of a temporary residence permit as a person who has purchased and who owns property in Latvia or as a family member of such a person; holder of a temporary residence permit as a person who has made financial investments in a credit institution in the Republic of Latvia or as a family member of such a person; holder of a temporary residence permit as a family member of a foreign national who has been granted a right to employment with a specific employer or the right to conduct commercial activities. 'Van Der Elst exemption' (subject to conditions).
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	No.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<ul style="list-style-type: none"> residence permit with work authorisation; EU Blue Card for highly skilled foreign nationals; ICT Permit for managers, specialists and trainees on intra-company transfer assignments to Latvia.
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	Generally, foreign nationals are able to start working 46 to 116 calendar days (for visa-exempt nationals) or 48-130 calendar days (for nationals who do require a visa) from when the residence permit with work authorisation process is initiated. Government processing can be expedited by paying urgency fees.

		<p>It generally takes the government nine to 58 calendar days to process a residence permit with a work authorisation application from the date of filing:</p> <ul style="list-style-type: none"> • seven to 30 calendar days for residence permit processing; • one to seven calendar days booking a consular appointment (for visa nationals); • one to seven calendar days for visa processing (for nationals who require a visa); • two to 14 calendar days for residence card processing.
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	<p>Government fees would be:</p> <ul style="list-style-type: none"> • EUR 69 for approval of sponsorship (additional fees for dependents) for an individual; • EUR 100-400 for processing a residence permit with permission to work, depending on processing speed; • EUR 15-30 for residence card processing, depending on processing speed; or • EUR 60-120 for processing a visa with permission to work, depending on processing speed.
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Latvia but living in another country from 1 January 2021?	<p>UK frontier workers who entered Latvia before 31 December 2020 can keep their status if they had applied for the EU residence card at the Office of Citizenship and Migration Affairs (OCMA) before 31 December 2020. UK frontier workers who enter Latvia after 1 January 2021 need additional permission to work.</p>
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>Five years of legal stay in Latvia (subject to conditions).</p>
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>Until 30 June 2021, UK citizens and their family members who entered Latvia and applied for the EU residence card before 31 December 2020 should apply for a new residence permit at the Office of Citizenship and Migration Affairs (OCMA).</p>

	Author	Marija Berdova, marija.berdova@cobalt.legal Alīna Ustinova, alina.ustinova@cobalt.legal COBALT
--	---------------	--

[Back to top](#)

LUXEMBOURG

UPDATED: 14 JANUARY 2021

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	Yes. The Luxembourg Government published guidance to provide information on the situation of UK nationals in Luxembourg from 1 January 2021. UK nationals and members of their family who fall within the scope of the WA have the same rights as EU citizens and keep these rights from 1 January 2021. In order to exercise the rights covered by the WA, they need to apply for a specific residence document, which certifies their status as beneficiaries of the WA. This document replaces their current residence document. It is different from the document issued to EU citizens. The application for this new residence document is mandatory as of 1 January 2021 and must be submitted no later than 30 June 2021. UK nationals and members of their family who have dual nationality (nationality of another EU or EEA Member State or Swiss nationality) as well as UK nationals who are holders of a diplomatic card (or equivalent) do not have to replace their resident document. UK nationals who do not fall within the scope of WA, in particular those arriving in Luxembourg as of 1 January 2021, or residing either in another EU Member State or in the UK and wishing to start work in Luxembourg as of 1 January 2021, are subject to the rules governing residence in Luxembourg and access to the labour market for third-country nationals. They must therefore apply for a residence/work permit for one of the categories provided for by the law of 29 August 2008 on the free movement of persons and immigration.
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	No. Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. The Schengen exemption applies from 1 January 2021 (under the WA, UK nationals kept their EU free movement rights until 31

		December 2020). UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>Travel documents (passport valid for at least three months after arrival in Luxembourg).</p> <p>Proof of duration and purpose of stay, as border control may ask additional questions concerning duration and purpose of stay.</p> <p>Unless they stay in a hotel or guesthouse, UK business travellers need to notify the appropriate communal administration of their presence within three working days from arrival.</p>
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	<p>Yes, even if allowed to enter and stay visa free they might nonetheless need a work permit.</p> <p>However, individuals on business trips (such as travel to visit business partners, to explore and develop professional contacts, to negotiate and conclude contracts, to participate in fairs, shows and exhibitions as well as to take part in meetings of the board of directors and general meetings of the company) are exempted from the requirement for a work permit for a stay for a maximum of three months.</p>
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Luxembourg from 1 January 2021?	<p>Yes, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> • business meetings (for stays shorter than three months); • intra-group provision of services excluding subcontracting (for stays shorter than three months); • family members of an EU national who works in Luxembourg; • intra-corporate transfer (subject to the condition that the UK employee holds an ICT residence permit in another member state);

		<ul style="list-style-type: none"> posting (subject to conditions); UK nationals and members of their family falling within the scope of the WA (in particular, those who arrived in Luxembourg before 1 January 2021 can freely access the labour market).
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	<p>No.</p> <p>However, for specific categories of work permits, Luxembourg applies the labour market test in order to check whether the vacant position (for which the third-country national filed a work permit application) can be filled by a person available on the national or European labour market.</p>
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<p>The most common categories are:</p> <ul style="list-style-type: none"> workers who are employees; highly qualified workers (annual remuneration of at least EUR 78,336, or EUR 62,668.80 for specific professions; employment contract of at least one year and high-level qualifications); workers temporarily assigned to Luxembourg on an intra-corporate transfer (ICT); and workers temporarily assigned from abroad to Luxembourg under the terms of a cross-border services agreement (posting of workers).
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	<p>Depending on the category of work permission requested, the time required for a response from the Ministry of Foreign and European Affairs to a work permit application may vary from three to four months maximum.</p> <p>For 'employee' work permission, a certificate from the Employment Administration needs to be submitted at the start of the procedure. Sufficient preparation time should be factored into employment plans.</p>

	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	<p>A residence permit requires that the applicant fulfils two main steps:</p> <ul style="list-style-type: none"> • An application for a temporary residence permit to submit from the country of origin. This application is free of charge. • An application for a definitive residence permit once the employee arrives in Luxembourg. This application is subject to a fee of EUR 80.
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Luxembourg but living in another country from 1 January 2021?	<p>British nationals who resided either in another EU Member State or in the UK and who were working in Luxembourg before 1 January 2021 may request a document attesting their right to exercise their salaried activity in Luxembourg as of 1 January 2021.</p> <p>British nationals who reside either in another EU Member State or in the UK and who wish to start work in Luxembourg as of 1 January 2021, are subject to the rules governing access to the labour market for third-country nationals. They must therefore have a work permit to work in Luxembourg and must wait for the work permit to be issued before they can start work.</p>
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>After a regular and uninterrupted stay of five years in Luxembourg, a third-country national may acquire the status of long-term resident, subject to certain conditions. In this case, the third-country national obtains a 'long-term residence permit - EU' valid for a period of five years and renewable automatically on request (for British citizens, the calculation of the five-year period takes into account the stay before the transition period, the stay during the transition period and the stay after this period).</p> <p>A third-country national who is a family member of an EU citizen has a permanent residence right after a five-year regular and uninterrupted stay in Luxembourg under certain conditions and can obtain a permanent residence permit.</p>
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>UK nationals and members of their family currently residing in Luxembourg are still entitled to reside in Luxembourg from 1 January 2021. Although entitlement to residence and associated rights remain similar to those they currently enjoy as EU</p>

		<p>citizens, they are required to obtain a new residence document attesting that they are beneficiaries of the WA. This new resident document must be obtained before 30 June 2021 at the latest, and will replace the current residence permit.</p> <p>UK nationals and members of their family who have dual nationality (nationality of another Member State of the EU or EEA or Swiss nationality) and those who are holders of a diplomatic card (or equivalent), do not have to obtain this new resident document.</p>
	Author	<p>Dorothee David, dorothee.david@castegnaro.lu</p> <p>Castegnaro</p>

[Back to top](#)

MALTA		
UPDATED: 31 DECEMBER 2020		
1.	<p>Guidance</p> <p>1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?</p>	<p>Yes.</p> <p>The guidelines published by the Identity Malta Agency provide that UK nationals, who resided or will be residing in Malta on the basis of their Treaty rights as EU nationals prior to or on the last day of the transition period (1 February 2020 and 31 December 2020) will be entitled to continue to reside in Malta and move freely in and out of the country, as well as benefiting from other associated rights, as specified in the Withdrawal Agreement ('WA'). These rights also extend to family members who fall under the provisions of the WA. However, family members, other than children, will only be covered by the provisions of the WA if the relationship commenced before the end of the transition period.</p> <p>The guidelines also provide that UK nationals settling in Malta during the transition period (between 1 February 2020 and 31 December 2020) may apply for their new residence status after three months from their arrival in Malta and before 30 June 2021.</p>

		<p>According to the same guidelines issued by the Identity Malta Agency, UK nationals and their family members who were not residing in Malta prior to the withdrawal date but who arrived in the country by 31 December 2020 will also benefit from the rights provided for in the WA. Applicants (family members connected to UK nationals already residing in Malta) who have the right to commence residence after 31 December 2020 must submit their application either within three months of their arrival in Malta or before 30 June 2021, whichever is later.</p> <p>The Chief Executive Officer of Identity Malta Agency has the power to issue a residence document valid for a period of ten years if:</p> <ul style="list-style-type: none"> • The person qualifies under the conditions stipulated in Part Two of the Agreement. • The person submits the application before 30 June 2021 if s/he is residing in Malta during the transition period (1 February 2020 and 31 December 2020) or, for individuals who have the right to commence residence after the end of the transition period in accordance with the WA, the person submits the application within three months after their arrival or from 30 June 2021, whichever is latest, according to our understanding of the current guidelines.
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No.</p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject to EU law. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-days period.</p> <p>The Schengen exemption applies from 1 January 2021.</p> <p>However, individuals wishing to work <u>and</u> reside in Malta may need to obtain a single permit as matters stand today.</p>
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>The passport should be valid with at least six months left on an adult or child passport to travel</p> <p>At the border the individual may be asked to:</p> <ul style="list-style-type: none"> • show a return ticket;

		<ul style="list-style-type: none"> show s/he has enough money to stay.
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021 ?	No.
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Malta from 1 January 2021?	Yes. As things currently stand, if individuals would like to work in Malta, they would need to obtain a permit under the single permit or key employee initiative procedures.
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	No quotas are in place , however according to the Guidelines issued by Jobsplus Agency, employers are responsible for providing substantial evidence of efforts made to try and fill in any vacant posts primarily with Maltese / EEA / Swiss nationals and/or third-country nationals who have an inherent right to work in Malta. To fulfil the vacancy requirement as part of the Labour Market test, the employer is required to advertise the job in the appropriate media or with the appropriate competent authority. Proof of this advertisement must be presented to JobsPlus together with the single permit application. Advertisements posted six months prior to the date of application are not accepted. Applications submitted without the necessary evidence of efforts made will not be acceptable. In addition, applications for third-country nationals are not generally accepted by JobsPlus Agency if the company does not already have other local or EU nationals on its employment register.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	Based on our experience the most common categories are: <ul style="list-style-type: none"> highly skilled management/technical/financial/gaming/accounting employees: annual remuneration of at least EUR 30,000 gross (2020); professions related to the medical and caring fields (such as nurses and carers); profiles that pass the labour market test.

	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	The procedure usually takes around a month under the Key Employee Initiate scheme, and a period of three months under the single permit scheme.
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	EUR 280.50 per application
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Malta but living in another country from 1 January 2021?	No rules have been issued on this matter and to date a work permit may be required if the employee is working in Malta.
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	The Director of citizenship and expatriate affairs will grant long-term resident status to third-country nationals who have resided legally and continuously in Malta after a minimum period of five years and who submit an application. This application must include, among other information, evidence of integration measures, specifically: <ul style="list-style-type: none"> • confirmation of at least 100 hours of attendance on a course provided by the Directorate for Human rights and Integration and the achievement of an examination pass mark of at least 75%; • a pass mark of at least 65% in MQF Level 2 Maltese language certificate; documentation showing that the relevant course fees have been paid.
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	Please see question 1.
	Author	Dr. Lara Pace lp@ganadoadvocates.com Dr. Matthew Brincat mbrincat@ganadoadvocates.com Ganado Advocates

[Back to top](#)

THE NETHERLANDS

UPDATED: 7 JANUARY 2021

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>British nationals and their family members who are lawfully resident in the Netherlands prior to 1 January 2021 are entitled to live, work and study in the Netherlands after 1 January 2021. They need to apply for a residence permit to show that they have a legal right of stay and are allowed to work in the Netherlands.</p> <p>British nationals who decide to come to the Netherlands to live, work or study after 1 January 2021 have the option to apply for a residence permit as a third-country national.</p> <p>Cross-border workers working in the Netherlands before 1 January 2021 need to apply for a frontier worker document. With this frontier worker document, the employee can travel in and out of the Netherlands for work.</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	It is still not clear whether a visa and/or an authorisation for temporary stay (mvv) for long-term stay is needed to travel to the Netherlands.
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	There is still no certainty regarding this.
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	It depends on the situation.
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in the Netherlands from 1 January 2021?	<p>Current status:</p> <p>Yes.</p>

	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	No.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	Knowledge migrants. Knowledge migrants are employees who do not have EEA or Swiss nationality who come to the Netherlands to carry out paid employment based on a local employment contract and earn a minimum monthly gross salary
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	It depends on procedure. The authorities usually decide on a knowledge migrant residence permit application within two weeks (the Dutch employer should be accepted as a recognised sponsor first).
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	At the time of writing: EUR 290 for a knowledge migrant residence permit application.
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in the Netherlands but living in another country from 1 January 2021?	There is still no certainty regarding this. It will depend on the situation.
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	In general, after five years of legal stay in the Netherlands (subject to conditions).
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	Being employed and registered in the Netherlands before 1 January 2021. Apply for a residence permit to work and stay in the Netherlands.

	Author	Marlies Koggel, marlies@courdid.com Courdid
--	---------------	---

[Back to top](#)

POLAND			UPDATED: 17 JANUARY 2021
1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>An amendment to the Act on the entry, residence and exit from the Republic of Poland of nationals of the Member States of the European Union and their family members and certain other acts has been introduced. The amendment concerns beneficiaries of the Withdrawal Agreement (WA), as well as UK citizens who were posted to Poland before 1 January 2021 and continue their stay after this date.</p> <p>1. UK citizens and their family members with a valid right to stay in Poland before 1 January 2021, who continue to live in the country after the date are considered as beneficiary of the WA. They will be entitled to continue their stay and work in Poland.</p> <p>UK national employees in Poland are considered to have a valid right to stay as are their family members accompanying or joining them regardless of whether they completed EU registration or obtained EU permanent residency in Poland.</p> <p>Consequently all employees who are UK nationals (and family members accompanying or joining them) working in Poland before 1 January 2021 will maintain their right to work and stay in Poland after the end of the transition period. Certificates of registration of EU citizen's residence and residence cards of family members of EU citizens obtained by UK citizens by the end of the transition period will remain valid for the period for which they are issued, but not beyond 31 December 2021.</p>	

		<p>UK citizens and their family members who benefit from the WA will have to apply for new certificates of registration and residence cards before 31 December 2021. The documents will include an annotation stating they were issued in connection with the Withdrawal Agreement.</p> <p>Residence that started before the end of the transition period could be evidenced by documents confirming right to stay according to EU law before 1 January 2021, e.g. employment contract, or an EU citizen's certificate of registration.</p> <p>2. The other category of UK citizens who benefit from the WA are frontier workers: individuals who are employed or self-employed in Poland but do not have a place of residence in the country. To maintain the right to work in Poland after the end of transition period, frontier workers needed to register their residence before 31 December 2021. They will receive a certificate of registration as a frontier worker.</p> <p>3. UK citizens who until 31 December 2020 worked in Poland as posted workers maintain their status too. They are entitled to obtain a special temporary residence permit for five years. The application for the permit must be submitted by 31 December 2021 at the latest. Until that date, their stay in Poland would be considered legal. After five years of legal and continuous residence, posted workers from the UK would be entitled to apply for a permanent residence permit.</p> <p>4. UK citizens and their family members arriving in Poland after Brexit will be treated as third-country nationals:</p> <ul style="list-style-type: none"> • A work permit is required (unless an exemption applies). • UK nationals benefit from the Schengen visa-free allowance (90 days maximum stay in a 180-day rolling period). To extend their stay in Poland, a visa or residence permit will be required.
2.	Business travel	No.

	2.1 Do UK employees need a business visa from 1 January 2021?	<p>UK citizens are exempted from the requirement for a Schengen visa, based on the amendment to the EU regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement adopted by the European Parliament and Council in April. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption applies from 1 January 2021.</p>
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	Valid passport, proof of duration and purpose of stay and possession of sufficient financial means for the entire period of stay in Poland as well as for departure, as border control may ask additional questions concerning duration and purpose of stay.
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021?	No, unless business travel is connected with a paid activity. In this case, a work permit would be required.
3.	Employment and residence	Yes.
	3.1 Do UK nationals need permission to work and stay in Poland from 1 January 2021?	However, there are exemptions from the obligation to obtain a work permit (e.g. UK nationals falling under the WA).
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	No. However, the government may introduce quotas at any time. They may refer to particular regions, profession, types of contracts or the types of business activities of the employing entities.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<p>Work permit type A: local hire;</p> <p>Work permit type B: management board members, general partners in a limited partnership or a limited joint-stock partnership and commercial proxies residing in Poland for over six months within 12 months;</p>

		<p>Work permit type C: intra-corporate transferees posted for over 30 days in a calendar year;</p> <p>Work permit type D: employees posted to provide export services (employees who are temporarily posted to Poland to perform services or activities under a contract concluded between the foreign employer and a company operating in Poland for whom the services are intended);</p> <p>Work permit type E: employees posted 'for other purposes' for over 30 days in six months.</p>
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	Processing time varies depending on the region and type of work permit: approximately five to sixteen weeks.
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	<p>Work permit: PLN 50 - 200;</p> <p>Residence Permit and Blue Card: PLN 440;</p> <p>Polish National Visa: EUR 80.</p>
4.	<p>Frontier workers</p> <p>4.1 What formalities apply to UK frontier workers working in Poland but living in another country from 1 January 2021?</p>	Frontier workers will either benefit from the WA or fall under the work permit obligation.
5.	<p>Permanent residence</p> <p>5.1 From what date are third-country nationals entitled to apply for permanent residence?</p>	Usually, after four to six years of residence depending on what type of residence permit, they have.
6.	<p>Securing residence and work status</p> <p>6.1 What steps could UK nationals take currently to secure their residence and work status?</p>	Please see the options outlined above.

	Author	Michał Kacprzyk, michal.kacprzyk@raczkowski.eu Raczkowski
--	---------------	---

[Back to top](#)

ROMANIA

UPDATED: 7 DECEMBER 2020

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>On 23 November 2020 an Emergency Government Ordinance was published to enter into force on 1 December 2020 regarding certain measures for the implementation of the Withdrawal Agreement (WA) in relation to the right of entry and stay in Romania. There is not yet actual guidance in place in terms of the procedural sequence of steps and pre-requisite documentation for UK nationals in the event of a hard Brexit beside the Ordinance described above. In light of this, general information regarding the transition and post-transition period already provided by the relevant Romanian immigration authorities is provided below.</p> <p>Transition period</p> <p><i>Requirements for entry/stay</i></p> <p>Throughout the transition period, until 31 December 2020, there was no change in the requirements for entry to Romania for UK nationals and their family members.</p> <p>British citizens and their family members will continue to enjoy the same treatment as the citizens of any EU Member State and their family members as regards travel, residence, work or study in Romania derived from the EU legislation on the free movement of persons.</p> <p>Up to 31 December 2020, UK nationals and their family members had a right to stay in Romania as long as they complied with the EU regulations on the free movement of persons.</p> <p>The residence documents issued by the General Inspectorate for Immigrations of the Ministry of the Interior ('IGI'/'Mol') to UK nationals and their family members as under the EU regulations on the free movement of persons were recognised until 31 December 2021. The validity of documents that expire during this period will be extended until the same date.</p> <p>In addition, during the transition period, on arrival in Romania UK nationals could use the entry lanes established for EU citizens.</p> <p>Post-transition period</p>
----	---	--

	<p>The information below concerns the situation of UK nationals and their family members under the Withdrawal Agreement (WA).</p> <p>The parts concerning UK nationals who are not covered by the WA are to be communicated at a later date, depending on the results of the current ongoing negotiations between the EU and UK.</p> <p><i>Requirements for entry/stay</i></p> <p>British citizens and their family members who resided in Romania and wish to remain in Romania after the end of the transition period (31 December 2020) should register for the new Resident status as beneficiaries of the Withdrawal Agreement. Registration must have been carried out with the IGI/Mol before 31 December 2021.</p> <p>British citizens and their family members shall receive the right to reside in Romania on condition of compliance with the WA, namely the requirement that they were a legal resident in Romania at the end of the transition period. The main requirements for obtaining a residence permit are similar to those established in current EU law. Decisions to grant the new resident status on the basis of the WA will rely on the objective criteria established in it, and on the same requirements as in the EU Directive on the free movement of persons.</p> <p>Following registration with IGI/Mol, the MOI will issue British citizens and their family members with a residence permit attesting their status as beneficiaries of the Withdrawal Agreement. The document has a uniform, Europe-wide format and took effect from 1 January 2021. Acquiring the new residence permit will make it possible for British citizens and their family members to continue enjoying the rights granted by the WA.</p> <p>The new residence permits replace the previous residence document held by British citizens as EU citizens and their family members. Until the new residence permits are issued under the WA, documents already issued by IGI/Mol to UK nationals and their family members (registration certificate, permanent residence card, etc.) will continue to be recognised until 31 December 2021, and the validity of any of these documents that expire will be extended until the same date. More information about the future registration system will be made available in due time.</p>
--	---

	<p><i>Visas</i></p> <p>After the transition period, UK nationals and their family members subject to the WA and registered as such can enter Romania without a visa and exclusively on the basis of a valid travel document and residence permit issued by IGI/MoI in compliance with the provisions of the WA at any time during the validity period of their permit. Until they obtain the new residence permit under the new status, UK nationals and their family members covered by the WA can enter Romania without a visa or other formalities, based on valid documents issued by IGI/MoI under EU law.</p> <p>UK nationals who are not entitled to rights under the WA can enter Romania without a visa for no longer than 90 days out of any 180 days.</p> <p>Family members UK nationals (immediate family, spouses, current registered partners and individuals in an existing long-term relationship) subject to the WA can join UK nationals any time after the end of the transition period. They be required to apply for a visa for entry in Romania, depending on their nationality and based on the Lists of Third Countries appended to Regulation (EU) 2018/1806 to establish their status as family members. For individuals in this situation visas are issued free of charge, within the shortest delays and based on an expedited procedure.</p> <p>More information on obtaining a Romanian visa and on the exemptions from the obligation to obtain a visa is available at http://evisa.mae.ro/home. Subsequent to obtaining a residence permit under the WA, the holders of this document will no longer require a visa for entry, exit or any other equivalent formality.</p> <p>Third-country nationals who are family members of UK nationals subject to the WA who enter Romania after 31 December 2020 and who did not have the status of family members before 31 December 2020, might be subject to a requirement for a Romanian visa t, depending on their nationality as based on the Lists of Third Countries appended to Regulation (EU) 2018/1806 and other regulations. The same Romanian legal system applies to other family members (extended family) who held the status of family members but were not resident in Romania before the end of the transition period and wish to join the UK nationalswho enjoys rights under the WA.</p>
--	--

		<p>Detailed information is available at http://evisa.mae.ro/home (detailed information about the status of UK nationals' family members is available in the <i>FAQ tab</i>).</p> <p><i>Co-ordination of social security systems</i></p> <p>The WA stipulates rules for the coordination of social security systems. Individuals who, at the end of the transition period, are in a situation that involves both the United Kingdom and a Member State will retain their right to medical assistance, pensions and other social security services. In addition, if they are entitled to a cash benefit from one country, they can continue to receive it even if they live in the other country.</p> <p>More detailed information is available in the <i>FAQ tab</i>, while additional details will be released imminently on the websites of relevant institutions.</p>
2.	<p>Business travel</p> <p>2.1 Do UK employees need a business visa from 1 January 2021?</p>	<p>Until the end of the transition period (31 December 2020) UK nationals did not require a visa to enter Romanian territory, all they needed was a valid travel document at the border checkpoint.</p> <p>After the end of the transition period:</p> <ul style="list-style-type: none"> • A UK national subject to the WA can enter Romania without a visa exclusively on the basis of a valid travel document and of the residence permit issued by the IGI/Mol, in line with the provisions of the WA, at any time during the validity period of the respective permit. Until they obtain the new residence permits under the new status, UK nationals covered by the Withdrawal Agreement can enter Romania without a visa or other formalities, based on valid documents issued by the IGI/Mol under EU law. • A UK national who is not entitled to rights under the WA can enter Romania without a visa for a period of no longer than 90 days in any 180- day period. <p>Until they are issued the new residence permits as under the WA, UK nationals subject to this Agreement will not require a visa or other formalities to enter Romania, only the valid documents issued by IGI/Mol as under EU law.</p>

	2.2 What documents are needed on arrival for business travel from 1 January 2021?	There is no actual guidance in place yet in terms of documentation required for visa-free business travellers.
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021 in the event of no deal?	No.
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Romania from 1 January 2021?	<p>Until the end of the transition period, citizens of the UK continued to have access to the labour market under the currently applicable EU legal framework.</p> <p>After the end of the transition period UK nationals who have exercised their right to work in Romania before the end of the transition period and wish to continue to do so have unrestricted access to the Romanian labour market on the basis of the new residence permit they obtained under the WA so no work permit will be required.</p> <p>The information above concerns the situation of UK nationals and their family members as under the WA. The parts concerning UK nationals who are not covered by the WA will be communicated at a later date, depending on the results of the currently ongoing negotiations between the EU and UK.</p>
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	Since work permits will not be required, no yearly quota condition will apply.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	Work permits will not be required.
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	The residence permit takes 30 days to be issued with an additional 15 days if the immigration authorities require additional information. It will be valid for five years.
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	No information regarded the government fee for the residence permit is available yet.

4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Romania but living in another country from 1 January 2021?	<p>UK nationals hired in Romania will require a residence permit. The residence permit will be issued upon request by the immigration services in the area where activities will take place. Prerequisites for grant of a residence permit are a valid travel document/passport in original and copy and a copy of the Romanian employment contract. The legal adjudication deadline will be 30 calendar days from submission. A 15-day extension is possible if the immigration authorities require additional information.</p> <p>The residence permit is valid for five years.</p> <p>The validity of the residence permit for UK frontier workers is equal to that of the employment contract, but no longer than five years. The residence permit must be extended with 30 days before its expiration date.</p>
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>Permanent residence can be obtained following a legal uninterrupted stay of five years calculated based on the submission date of the file. Stays as a student will be counted at half their actual duration. Immigration will verify that the third-country national did not spend more than 300 days outside Romania during the required five-year term.</p>
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>Currently, UK nationals must follow the procedure for obtaining a certificate of registration (dependent or independent means, personal means of support, etc.). This is a same-day service provided by the relevant immigration services.</p> <p>Following the entry to Romania as beneficiaries of the WA, a residence permit must be requested within a maximum of 90 days from the entry date to the immigration authorities in the area of residence based on the following pre-requisites:</p> <ul style="list-style-type: none"> • standard application form; • travel document/passport in original and copy; • valid health insurance;

		<ul style="list-style-type: none"> • proof of lodging in original and copy; • proof of financial means of support.
	Author	Alexandru Lupu, alexandru.lupu@nndkp.ro NNDKP SCA Romania

[Back to top](#)

SLOVAKIA

UPDATED: 22 DECEMBER 2020

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	Yes. The Slovak Parliament has adopted an Act amending certain acts in the event of withdrawal of the United Kingdom from the European Union without a deal. This Act deals with legal status of UK nationals concerning their residence, performance of regulated professions, social security and other matters.
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	No. Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject to EU law. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period. The Schengen exemption applies from 1 January 2021 based on the Withdrawal Agreement ('WA'). However, even if allowed to enter and stay visa-free they might nonetheless need a work permit and temporary residence for the purpose of employment. For short-term business negotiation meetings the 90-day requirement stated above (i.e. business trip, etc.), work permit is not required. Third-country nationals coming to stay and work in Slovakia for more than 90 days must obtain a Single Permit or a work permit and a residence permit for employment purposes, which involves a complicated application process.
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<ul style="list-style-type: none"> • Travel documents (valid passport) with a validity of no more than ten years that is valid for at least three months after the intended date of leaving Slovakia. • Valid visa, if required. • Proof of duration and purpose of stay as border control may ask additional questions concerning duration and purpose of stay.

		<ul style="list-style-type: none"> • Proof that a third-country national has sufficient means of subsistence, both for the duration of the intended stay and for return to their country of origin.
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021 in the event of no deal?	<p>No.</p> <p>Following the withdrawal of the UK from the EU, the reciprocal visa-free regime is expected to be maintained for short stays (up to three months) and travel for tourism.</p>
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Slovakia from 1 January 2021?	<p>No, provided UK nationals will meet the conditions for EU member state nationals to reside in Slovakia for a period longer than three months (e.g. study, employment, business) from the date of withdrawal of UK from EU.</p> <p>Other UK nationals, not meeting the above conditions as of the date of the UK's withdrawal from the EU will need a work permit and a residence permit under the same conditions as other third-country nationals.</p>
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	<p>No.</p> <p>There is no general quota, however, there is one limitation for jobs where there is a lack of workers, where a new accelerated process in applying for permits applies (effective from 1 January 2019). In this case, employment of a third-country national is allowed only if less than 30% of the specific employer's workforce is third-country nationals).</p>
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<p>According to statistics from the Central Office of Labour, Social Affairs and Family, the most common categories are:</p> <ul style="list-style-type: none"> • operators of machinery and equipment; • qualified workers and craftsmen; • highly skilled employees and specialists.
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	<p>Qualified or seasonal work</p> <p>The employer must announce a job vacancy to the Slovak Labour Office 15 days prior to submission of an application for a temporary residence permit by the third-country national.</p>

		<p>Unqualified work</p> <p>The employer must announce a job vacancy to the Slovak Labour Office 20 days prior to submission of an application for a temporary residence permit by the third-country national.</p> <p>The relevant police department decides on the application within 90 days from its submission (or within 30 days in specific cases).</p> <p>The procedure may take between one and six months, as the procedure is complicated and usually the statutory period is extended because all the requested documentation has not been provided, or because it is incomplete and requires completion.</p>
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	<p>Temporary residence for the purpose of employment: EUR 165.50 / EUR 170</p> <p>Temporary residence for the purpose of seasonal employment: EUR 33 / EUR 35</p> <p>Request for a European Union Blue Card: EUR 165.50 / EUR 170</p>
4.	<p>Frontier workers</p> <p>4.1 What formalities apply to UK frontier workers working in Slovakia but living in another country from 1 January 2021?</p>	<p>There are currently specific obligations due to the COVID-19 pandemic.</p> <p>Where a worker has permanent or temporary residence in the border areas of a neighbouring state within 30km of an open border crossing into Slovakia, these employees must be in possession of confirmation of the existence of an employment relationship or place of work in Slovakia at a maximum distance of 30km by road. In this case the employee is not required to undergo home quarantine for COVID-19.</p>
5.	<p>Permanent residence</p> <p>5.1 From what date are third-country nationals entitled to apply for permanent residence?</p>	<p>Five years of legal stay in Slovakia (subject to conditions).</p> <p>Five years of legal and continuous stay in the territory of an EU Member State as a Blue Card holder; however, under condition of a legal and continuous two-year stay in Slovakia prior to applying for a permanent residence permit (subject to conditions).</p>
6.	<p>Securing residence and work status</p> <p>6.1 What steps could UK nationals take currently to secure their residence and work status?</p>	<p>UK nationals and their family members (e.g. spouses, descendants and older relatives), who have resided in Slovakia for five years (or less, subject to certain</p>

		<p>conditions) prior to Brexit date, will be considered long-term residents, meaning they may stay and work in Slovakia without any time limitation.</p> <p>Those who do not meet the above conditions but have been resident in Slovakia longer than three months prior to Brexit date (e.g. for study, employment or business purposes), will be able to stay in Slovakia for a limited time period. Their stay will be considered long-term residence limited for five years. Following the expiry of this period, they will be able to apply for permanent residence for an unlimited time.</p> <p>All UK nationals must obtain a new residence card for third-country (non-EU) nationals or exchange a standard EU residence card for a non-EU card (Povolenie na pobyt) before 30 June 2021.</p>
	Author	<p>Dušan Nitschneider, nitschneider@nitschneider.com</p> <p>Danica Valentova, valentova@nitschneider.com</p> <p>Nitschneider & Partners</p>

[Back to top](#)

SLOVENIA

UPDATED: 23 JANUARY 2021

1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>As far as the residence status of UK nationals in Slovenia is concerned, as of 1 January 2021 the EU-UK Trade and cooperation agreement (the 'Agreement') applies. The Agreement also regulates residence rights and the issue of new residence permits.</p> <p>The Agreement does not apply to UK citizens residing in Slovenia as posted workers on the date of expiry of the transitional period. If they wish to continue to reside in Slovenia as posted workers, they should apply for a single permit for posted workers which is issued to third-country nationals who are posted to Slovenia for a limited period of time for the purpose of providing cross-border services or training in a company in the Republic of Slovenia.</p> <p>A UK citizen and his or her family member who is not an EU citizen residing in Slovenia on the day of expiry of the transitional period on the basis of a valid residence registration certificate for an EU citizen, a residence permit for a family member of an EU citizen or a temporary residence permit for a family member of an EU citizen, and who continued to reside in Slovenia after the expiry of the transitional period, must submit an application for a temporary residence permit (issued on the basis of the Agreement) no later than 31 December 2021, or before the expiry of the certificate or permit, if it expires earlier.</p> <p>A UK citizen and his or her family member who is not an EU citizen who resided in Slovenia on 31 December 2020 during the permitted 90-day stay from entry into the country and wishes to reside in Slovenia for more than 90 days must apply for temporary residence permits under the Agreement before the expiry of the permitted 90-day residence.</p> <p>A UK citizen and his or her family member who is not an EU citizen residing in Slovenia on 31 December 2020 on the basis of a valid certificate of registration of permanent residence for an EU citizen, a permanent residence permit for an EU citizen or a permanent residence permit for a family member of an EU citizen must apply for a replacement of the certificate or residence permit within one year of the end of the transitional period, i.e. no later than 31 December 2021 or before the expiry of the validity of the certificate or permanent residence permit, if it expires earlier. This is issued on the basis of the Agreement.</p>
----	---	---

		<p>The conditions for issuing a temporary residence permit and a permanent residence permit are the same as those laid down in EU rules on free movement with regard to residence rights. An UK citizen and his or her family member who is not an EU citizen must meet the same conditions as s/he had to fulfil in order to be issued a valid certificate or residence permit in Slovenia.</p> <p>A UK citizen who initiated the procedure for issuing or renewing a residence registration certificate for an EU citizen or a permanent residence registration certificate for an EU citizen before the end of the transitional period and in which no final decision was made by the end of the transitional period will be able to continue and finalise the procedure under the provisions of the Slovenian Foreigners Act applicable to EU citizens. If the conditions for issuing the certificate are met, the UK citizen obtains a temporary residence permit or a permanent residence permit under the Agreement. The same applies to the applications of family members of a UK citizen.</p> <p>On the other hand, UK citizens and their family members who are not EU citizens who enter Slovenia for the first time for the purpose of residence from 1 January 2021 onwards will be subject to provisions of the Slovenian Foreigners Act regulating entry, residence and departure for third-country nationals and their family members.</p> <p>Access to the labour market is not regulated by the Agreement, meaning UK citizens who enter Slovenia for the purpose of working for a Slovenian employer may need a single residence and work permit.</p>
2.	Business travel	
	2.1 Do UK employees need a business visa from 1 January 2021?	No visa is currently required for UK citizens to enter Slovenia after 1 January 2021.
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	Valid passport.
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021 in the event of no deal?	If a UK citizen will be performing work in Slovenia, an appropriate permission (Single Permit or EU Blue Card) will in principle be required. However, the Agreement provides for some exceptions to that.

3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Slovenia from 1 January 2021?	<p>An appropriate permission (Single Permit or EU Blue Card) will be needed for a UK citizen to work and stay in Slovenia, unless the UK citizen can rely on the exemptions under the Employment, Self-Employment and Work of Foreigners Act, such as:</p> <ul style="list-style-type: none"> • foreign nationals with temporary residence permission due to family reunification with a Slovenian national; • foreign nationals with permission for permanent residence; • foreign nationals attending business meetings or establishing business contacts for not more than 90 days within a period of six months, counted from the date of first entry into the country.
	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	<p>Yes, the government may determine a quota yearly under the Employment, Self-Employment and Work of Foreigners Act. There is currently no quota established for 2021.</p>
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	<ul style="list-style-type: none"> • special category of highly qualified employees; • posted employees; • training; • providers of individual services; • representatives of private entrepreneurs or legal entities; • seasonal employees (seasonal work in agriculture or forestry for longer than 90 days).
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	<p>The procedure for a Single Permit or EU Blue Card takes up to two months from the date the complete application is submitted. For the application to be complete, all relevant documentation has to be provided with the application (evidence of the absence of a criminal record, appropriate health insurance and sufficient means of</p>

		<p>subsistence while living in the country, executed employment contract with the employer, photograph of the employee, proof of relevant education, etc.).</p> <p>Sufficient preparation time for gathering this documentation should be factored into employment plans.</p>
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	A Government fee of EUR 74.50 is payable for a Single Permit (EUR 4.50 for the application and EUR 70 for the permit). Additionally, EUR 12 has to be paid for the issue of a residence card.
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Slovenia but living in another country from 1 January 2021?	As of 1 January 2021 the relevant Slovenian provisions regulating work of third-country nationals apply to UK citizens. Frontier workers will also be regarded as employees from a third country and will therefore require an appropriate permission to work in Slovenia.
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>At least five years of continuous legal stay (residence) in Slovenia on the basis of a temporary residence permit or on the basis of confirmation of a submitted request for the extension of a residence permit or a subsequent temporary residence permit, subject to further conditions.</p> <p>The condition of continuous stay is fulfilled if there is an absence of less than six consecutive months and if the absence does not exceed ten months over a five-year period in total.</p> <p>In special cases, permanent residence may be obtained before five years of continuous legal stay in Slovenia (subject to further conditions).</p>
6.	Securing residence and work status	For UK citizens residing in Slovenia on the day of expiry of the transitional period, please see 1 above.

	6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>Currently (in the absence of any specific contingency rules):</p> <ul style="list-style-type: none"> • file an application for the registration of temporary residence as soon as possible (subject to further conditions and valid reasons); • file an application for the registration of permanent residence (if conditions for registration are met); • gather the documentation for family reunification with an EU or Slovenian national if relevant; • applying for Slovenian nationality if conditions are met.
	Author	<p>Darja Miklavčič, darja.miklavcic@selih.si</p> <p>Karin Dodič, karin.dodic@selih.si</p> <p>Šelih & Partnerji</p>

[Back to top](#)

<div>SPAIN</div> <div>UPDATED: 31 DECEMBER 2020</div>		
1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>On 2 July, the Spanish government published a decision in the Official Gazette establishing the procedure for issuing residence document set out in the Withdrawal Agreement (WA) for UK nationals and their family dependents.</p> <p>The WA preserved the rights of UK citizens residing in Spain until the end of the transitional period on 31 December 2020, along with their family dependents from third countries (future children are also included).</p> <p>Until 6 July for stays over three months, UK citizens and their third-country family dependents were required to apply for the EU registration certificate and residence card as EU family dependents respectively. From 6 July until 31 December, UK citizens and their third-country family dependents who intended to reside in Spain after the end of the transition period, were able to apply for a residence document/</p>

	<p>card stating their condition as beneficiaries of the WA, if they met the conditions established in the WA.</p> <p>The process varies depending on whether they already hold an EU Registration Certificate / EU family dependents card.</p> <p>UK nationals and their dependents holding EU Certificates or EU family dependents cards issued before the end of the Transitional Period</p> <p>Holders of the residence documents indicated have residence status in Spain which is maintained after 1 January 2021. In addition, residence documents already in place are valid as evidence that the holder benefits from the provisions of the WA.</p> <p>Holders of the EU registration certificate/EU family dependents card have the right to apply for a residence card (Tarjeta de Identidad de Extranjero, TIE) that expressly reflects their status as a beneficiary of the WA.</p> <p>The two-stage process is as follows:</p> <p>First, submission of a residence card application. Applicants must provide documentation:</p> <ul style="list-style-type: none"> • Certificate of Registration for UK citizens; • EU dependent residence card for family dependents; • census certificate proving current home address; • proof of payment of the government fee. <p>Second, collection of the residence card.</p> <p>Although this process is not mandatory, it is highly recommended UK nationals apply for the residence card to avoid any hassles with authorities when interacting with them, specially while crossing borders or undertaking administrative proceedings.</p> <p>UK nationals and their dependents without EU registration certificates and residence cards at the expiry of the transitional period</p> <p>UK nationals seeking resident status in Spain who fall under the WA, should have entered Spain prior to 31 December 2020 to be entitled to reside in Spain and acquire the right as beneficiaries of the WA.</p>
--	--

		<p>The application for residence status as a beneficiary of the WA must be made within three months from the entry date into Spain. If the application is submitted after the three-month period, evidence of the grounds for late submission will be needed. The Spanish authorities will determine on a case-by-case basis whether to allow late applications.</p> <p>The process to obtain the residence card is as follows:</p> <p>1. Submission of the residence document application through the online platform. Applicants must prove:</p> <ul style="list-style-type: none"> • financial reliability; • full private or public medical coverage; • place of residence in Spain through provision of a census certificate; • documentation proving family dependent status and the principal's passport and residence card for family dependents; • payment of the government fee. <p>2. Application for the residence card once a residence document is granted.</p> <p>3. Collection of the residence card.</p> <p>During the application and processing of documentation, UK nationals may continue their work or professional activity.</p>
2.	<p>Business travel</p> <p>2.1 Do UK employees need a business visa from 1 January 2021?</p>	<p>No.</p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject to EU law. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>However, even if allowed to enter and stay visa-free, they will nonetheless need a residence or work permit to work in Spain (unless a specific exemption is agreed). In Spain, business visitors must generally limit their activities to the following:</p> <ul style="list-style-type: none"> • attending business meetings or discussions;

		<ul style="list-style-type: none"> • attending seminars or 'fact-finding' meetings; • attending conferences. <p>In addition to the above, if the purpose of the visit is to acquire knowledge about client needs, through industrial, commercial meetings or meetings related to those client needs, without being part of the productive activity of the organisation in Spain, a work permit should not be needed (the source of salary must be from abroad, that is, the country of employment).</p> <p>If a business trip, even if it is very brief, involves activities other than those outlined above, a work permit will typically be required. Additionally, even when activities are limited to those listed above, if the foreign national will generate profit for the host entity, receive compensation from the host entity, or take direction from the host entity, a work permit may be required.</p>
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>Travel documents (valid passport) with a validity of less than ten years.</p> <p>Proof of duration and purpose of stay as border control may ask additional questions concerning duration and purpose of stay (i.e. an invitation letter from the organisation in Spain).</p> <p>They will also need to be able to provide evidence of sufficient economic means, accommodation and return flight tickets.</p>
	2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021 in the event of no deal?	<p>For work purposes, a permit allowing the UK national to work must be applied for prior starting work activities which do not fall under the business visitor conditions described in 2.1 above.</p>
3.	Employment and residence 3.1 Do UK nationals need permission to work and stay in Spain from 1 January 2021?	<p>Yes, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> • business trips as described before; • family members of an EU national or a non-EU national who has authorisation to work (subject to conditions); • holders of a Long-Term Residence Permit in Spain; • Van Der Elst exemption' (subject to conditions).

	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	No. Spain does not apply quotas.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	The most common categories will be: <ul style="list-style-type: none"> highly skilled employees: bachelor's degree and annual remuneration corresponding to the job position; intra-company transfer (payroll and social security paid in UK): bachelor's Degree or more than three years' experience in the field plus three months' seniority with the sending entity or sending group (2019).
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	20 business days for the residence permit plus ten business days for the visa process.
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	For both residence permits (allowing holders to work): EUR 71.81
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Spain but living in another country from 1 January 2021?	UK nationals residing outside Spain with cross-border worker status must apply for documentation certifying their status at the withdrawal date as set out in Article 26 of the WA. From 1 January 2021, UK frontier workers starting work activities from this date will have to obtain the corresponding work permit for third-country cross-border workers based on the Spanish legal framework.
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	Third-country nationals are eligible for Long-Term Residence after five years of legal, continuous residence in Spain. This can be renewed every five years.
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	UK citizens and their family dependents who are already in Spain have to apply for the residence permit within three months of arrival in Spain to benefit from the WA. Additionally, they can take the following actions, where appropriate: <ul style="list-style-type: none"> register their marriages if they are married to a national of an EU country where marriage registration is compulsory;

		<ul style="list-style-type: none"> • apply for Spanish nationality if they comply with the legal conditions.
	Author	Mouna Jrabi mj@sagardoy.com Ana Garicano Sol ags@sagardoy.com Sagardoy Abogados

[Back to top](#)

SWEDEN		
UPDATED: 11 JANUARY 2021		
1.	Guidance 1.1 Has any guidance been issued on how UK nationals can obtain settled residence status and permission to work from 1 January 2021 and what proof of residence is needed for current residents to maintain their status?	<p>Yes.</p> <p>The Swedish Parliament has adopted a complementary regulation for UK nationals in Sweden as of 1 January 2021 regarding the right for UK nationals to reside, work and travel to Sweden. The regulation has created a new right to reside in Sweden for UK nationals and their families, called ‘residence status’ (Uppehållsstatus) and will be valid for an unlimited time, but the permissions will be renewed every fifth year.</p> <p>In order to receive this residence status the UK national must reside in Sweden in line with the EU regulations before 31 December 2020, when the transition period ends. The application process is open from 1 December 2020, and is done online via this link.</p> <p>The application process is only available for UK nationals residing in Sweden. More information regarding the process is available at the Swedish Migration Agency’s website, www.migrationsverket.se.</p>
2.	Business travel 2.1 Do UK employees need a business visa from 1 January 2021?	<p>No.</p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It applies from the day the UK is no longer subject</p>

		<p>to EU law. UK citizens can enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption applies from 1 January 2021.</p> <p>Third-country nationals coming to stay and work in Sweden for more than 90 days require a work permit or a residence permit.</p>
	<p>2.2 What documents are needed on arrival for business travel from 1 January 2021?</p>	<p>Travel documents (a valid passport) with a validity of no more than ten years that is valid for at least three months after departure from Sweden. British citizens exempted from the obligations of residence and work permit as set out in section 1 may receive a stamp in their passport confirming that exemption. To receive this stamp, an application must be submitted to the Migration Board.</p> <p>Proof of duration and purpose of stay, as border control may ask additional questions concerning duration and purpose of stay.</p>
	<p>2.3 Do UK nationals need additional permission to work for business travel from 1 January 2021 in the event of no deal?</p>	<p>No.</p>
<p>3.</p>	<p>Employment and residence</p> <p>3.1 Do UK nationals need permission to work and stay in Sweden from 1 January 2021?</p>	<p>Yes, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> • Business meetings in 'closed circle' (maximum 20 subsequent calendar days per meeting and 60 days per year in total). Examples of meetings in 'closed circle' include negotiations with customers, evaluations with staff and company strategy meetings. • Family members of an EU national or a non-EU national who has authorisation to work (subject to conditions). • Holders of a permanent Swedish residence permit.

	3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?	No.
	3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?	Most likely the following: <ul style="list-style-type: none"> • highly skilled employees (Bachelor's degree); • trainees (subject to conditions).
	3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?	The procedure can take approximately six months. It is recommended, especially regarding work permits, to apply through a company certified by the Migration Board. This can shorten the process significantly.
	3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?	Administrative fees of approximately SEK 2000.
4.	Frontier workers 4.1 What formalities apply to UK frontier workers working in Sweden but living in another country from 1 January 2021?	<p>A frontier worker cannot receive residence status since s/he does not live in Sweden. However, s/he has the right to apply to get a certificate confirming that s/he is a frontier worker according to the WA. In contrast to UK citizens who live in Sweden, there is no time limit for when a frontier worker must turn in his or her application for this certificate. The process opened from 1 December 2020.</p> <p>The application process is run by the Swedish Migration Agency. Together with an application, a frontier worker must send in a verification that s/he:</p> <ul style="list-style-type: none"> • lives in another country, such as a housing contract or equivalent civic registration; • works or is a sole proprietor in Sweden, which is verified in the same way as in an application for residence status; • lived in another country and worked in Sweden at the end of the transition period.

		<p>The worker must also provide a copy of his or her passport or national ID card.</p> <p>The frontier worker will receive a card as evidence that s/he is a frontier worker. The card is valid for five years and can be extended.</p>
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>There are different grounds to obtain permanent residence but in general, five years of legal stay in Sweden (subject to conditions) are required.</p>
6.	Securing residence and work status 6.1 What steps could UK nationals take currently to secure their residence and work status?	<p>In order for UK national to be able to stay in Sweden, they must meet certain requirements and apply for residence status before the end of the application period.</p> <p>The application period for residence status began on 1 December 2020 and continues to 30 September 2021. The processing of applications will begin in January 2021.</p> <p>In order for a UK national to be able to continue living in Sweden s/he must:</p> <ul style="list-style-type: none"> • be a UK national, current family member of a UK national, or former family member of a UK national; • have been in Sweden in accordance with EU regulations before the end of the transition period (31 December 2020); • continue to live in Sweden after the end of the transition period and also continue to meet the requirements for the right of residence, meaning they must be an employee, sole proprietor, student, person with adequate funds or family member of a person who meets these conditions; • apply for residence status or permanent residence status before the end of the application period on 30 September 2021.

	Author	Petter Wenehult, petter.wenehult@elmzell.se Knut Elmstedt, knut.elmstedt@elmzell.se Elmzell Advokatbyrå
--	---------------	---

[Back to top](#)

UNITED KINGDOM

UPDATED: 25 JANUARY 2021

1.	<p>Guidance</p> <p>1.1 Has any guidance been issued on how EEA/Swiss nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</p>	<p><i>Please note that the information in this survey does not apply to Irish nationals, who are considered to be settled in the UK.</i></p> <p>Implementation period</p> <p>An 'implementation period' was in effect from 23:00 on 31 January 2020 (GMT) until 23:00 on 31 December 2020 (GMT). During the implementation period, the UK applied arrangements similar to the free movement of persons that existed prior to Brexit. These arrangements have now ended.</p> <p>EU Settlement Scheme</p> <p>EEA/Swiss citizens must apply under the EU Settlement Scheme for settled or pre-settled status if they became resident in the UK by the end of the implementation period. This includes all workers who became resident in the UK by this date. Existing family members of workers could also apply if they became resident in the UK by 31 December 2020, as long as the worker is either eligible under the scheme, or they began working in the UK by 31 December 2020 and they continue to do so.</p> <p>To qualify for settled status, a period of five years' continuous residence in the UK will normally be required. Pre-settled status is granted for five years and a further application for settled status should be made once five years' residence is reached, and before the pre-settled status expires.</p> <p>For those already residing in the UK, an initial application must be made under the scheme by 30 June 2021.</p> <p>Family members residing outside the UK will be able to apply to join an EEA/Swiss citizen who has status under the scheme at any point in the future, provided their relationship with the EEA/Swiss citizen existed by 31 December 2020 and is ongoing at the time of application. There is also an exception for children born abroad, who may apply at any time after their birth.</p> <p>Frontier workers</p>
----	--	--

	<p>Frontier workers, who began work or self-employment in the UK before 31 December 2020 but reside in the EEA, will be able to be recognised as having frontier worker status.</p> <p>Frontier workers must:</p> <ul style="list-style-type: none"> • be working, i.e. employed or self-employed before 31 December 2020*; • carry out 'genuine and effective' work in the UK, i.e. their work in the UK must not be a one-off event or marginal and ancillary to their lifestyle as a whole; • be in the UK for less than 180 days in the last 12-month period, or return to their country of residence at least once in the last six-month period or twice in the last twelve-month period. <p>*Individuals who have been working in the UK for a year or more but are currently unable to work (as a result of an illness, involuntary unemployment, training, pregnancy and maternity leave) will retain their frontier worker status for six months, or longer if they can show compelling evidence of continuing to seek work in the UK. Those who previously worked in the UK for less than a year will retain their status for six months only.</p> <p>Between 1 January 2021 and 30 June 2021, frontier workers can travel to the UK using their current passport or national ID card (they may need to provide evidence of their frontier working, i.e. employment/self-employment confirmation documents, upon request). A new scheme opened from 10 December 2020 to enable frontier workers to submit an online application to get digital confirmation of their status. For any travel to the UK after 1 July 2021, a frontier worker must hold digital confirmation of their status.</p> <p>The application for frontier workers is free to apply for (either in or outside the UK). There is no deadline for applications. Frontier workers will get status for five years (or two years if they are currently are not working and have retained their status). Frontier worker status can be renewed indefinitely but does not lead to permanent residence in the UK.</p> <p>Arrivals after the end of the implementation period</p>
--	--

		<p>The Government has introduced a new immigration system. EEA/Swiss citizens and their family members who wish to live in the UK after 23:00 on 31 December 2020 (GMT) need to apply under the new system, if they are not eligible under the EU Settlement Scheme.</p> <p>There are two types of main work visa categories that EEA/Swiss citizens and their family members are likely to apply for:</p> <p><i>Skilled Worker visa</i></p> <p>The general salary threshold for this route is GBP 25,600 (with some exceptions to reduce this and also to increase this according to market rate for their particular role), minimum skill level is RQF Level 3 (A Levels or equivalent), and the applicant must meet the English language requirement.</p> <p><i>Intra-Company Transfer visa</i></p> <p>This route is suitable for existing employees working for international companies at their overseas branches. The minimum salary is GBP 41,500 if the individual has been employed overseas for at least 12 months, or GBP 73,900. The minimum skills level is RQF Level 6.</p> <p>There are other less common work visas such as the Sole Representative, Start-Up and Global Talent visas that can be useful in the right circumstances. The Skilled Worker, however, is by far the most common and the most likely.</p> <p>Following the end of the implementation period, applications for these immigration categories can now be made for EEA nationals, both from abroad or within the UK.</p>
2.	<p>Business travel</p> <p>2.1 Do EEA/Swiss employees need a business visa from 1 January 2021?</p>	<p>Arrangements similar to free movement of persons continued to apply until 31 December 2020.</p> <p>From 1 January 2021, a visa is not required for business visits.</p> <p>However, the Government plans to introduce an electronic travel authorisation (ETA), which will require the completion of an online form and payment of a small fee prior to travel. It is proposed that the ETA will be valid for multiple entries over an extended period. The implementation date for the ETA system is not yet known</p>

		but is likely to be 2021 at the earliest. The Government intends to require EEA/Swiss nationals to apply for an ETA once the system is in place, subject to any agreement with the relevant countries to the contrary.
	2.2 What documents are needed on arrival for business travel from 1 January 2021?	<p>From 1 January 2021, a valid passport or national ID card will be required, however the UK government intends to phase out the use of national ID cards from 1 October 2021. As an exception, EEA/Swiss nationals in the following categories will be allowed their national ID card to enter the UK until at least 31 December 2025:</p> <ul style="list-style-type: none"> • individuals with pre-settled or settled status under the EU Settlement Scheme • frontier worker permit holders • S2 Healthcare Visitors • Swiss Service Providers <p>An invitation letter listing reasons for business travel may be helpful but is not mandatory.</p>
	2.3 Do EEA/Swiss nationals need additional permission to work for business travel from 1 January 2021?	<p>The business visitor arrangements outlined above, does not permit 'work' only 'permissible activities' such as attending business meetings, as summarised below. For anything that falls outside of the permissible activities, they will require a work visa.</p> <p>From 1 January 2021, a formal invitation letter from an organisation specified by the UK Government will be required if the person intends to undertake permitted paid engagements in certain circumstances as an academic, lecturer, designated pilot examiner, lawyer or professional artist, entertainer, musician or sportsperson.</p> <p>If an EEA/Swiss national is not a professional in one of the categories above, they are not permitted to work in the UK. Activities of business visitors must be restricted to the following:</p> <ul style="list-style-type: none"> • Attend meetings, conferences, seminars, interviews. • Give a one-off or short series of talks and speeches provided these are not organised as commercial events and will not make a profit for the organiser.

		<ul style="list-style-type: none"> • Negotiate and sign deals and contracts. • Attend trade fairs, for promotional work only, provided the visitor is not directly selling. • Carry out site visits and inspections. • Gather information for their employment overseas. • Be briefed on the requirements of a UK-based customer, provided any work for the customer is done outside of the UK; • An employee of an overseas based company may advise and consult, trouble-shoot, provide and receive training, share skills and knowledge on a specific internal project with UK employees of the same corporate group, provided no work is carried out directly with clients. • A market researcher or analyst can carry out market research or analysis in the UK for an overseas enterprise. • A scientist or researcher can carry out independent research for their overseas employer. • A translator/interpreter can carry out translation/interpretation services for their overseas employer.
3.	Employment and residence 3.1 Do EEA/Swiss nationals need permission to work and stay in the UK from 1 January 2021?	<p>Yes.</p> <p>EEA/Swiss nationals relocating to the UK after 31 December 2020 must have permission to work in the UK.</p> <p>EEA/Swiss nationals residing in the UK by 31 December 2020 and eligible for the EU Settlement Scheme must apply for settled or pre-settled status by 30 June 2021.</p> <p>Frontier workers working in the UK by 31 December 2020 must obtain digital confirmation of their status by 1 July 2021 to be able to continue to enter the UK in this capacity from this date.</p>

<p>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</p>	<p>No.</p> <p>The UK has suspended quotas for work permissions for the time being.</p>
<p>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</p>	<p>The categories under the new immigration system are:</p> <ul style="list-style-type: none"> • Skilled Worker; • Intra-Company Transfer; • T5 Temporary Work: Youth Mobility, Government Authorised Exchange, Sporting and Creative and International Agreement; • Sole Representative; • Global Talent; • Start Up and Innovator (these are relevant though seldom able to be used). <p>The T5 International Agreement category has been expanded in line with the UK-EU and UK-Switzerland trade deals negotiated between the UK. This route is not commonly used but may provide an option for contractual service sellers and independent professionals in specific industry sectors who need to come to the UK for up to 12 months.</p>
<p>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</p>	<p>The employer must hold a licence under the relevant category in order to sponsor a worker. If they do not have a sponsor licence yet, obtaining one normally takes four to eight weeks from the date the application is submitted.</p> <p>The application process for the individual normally takes between three to eight weeks (depending on the country of application) and requires the following steps:</p> <ul style="list-style-type: none"> • being issued with a certificate of sponsorship by the employer; • making a visa application; • being issued with a biometric residence permit. <p>There are also various priority services available for an additional cost. Processing times for priority visa applications can vary from 24 hours to five working days, depending on availability and service chosen.</p>

	<p>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</p>	<p>For Skilled Worker and Intra-Company Transfer visas, fees are:</p> <ul style="list-style-type: none"> • Certificate of Sponsorship - GBP 199; • Immigration Skills Surcharge - GBP 1000 per year; • Immigration Health Surcharge - GBP 624 per year; • Application fee - GBP 610 for 3-year visa, or GBP 1220 for 5-year visa; • Priority and visa application centre fees vary. <p>Under the Council of Europe's Social Charter of 1961 ('CESC'), a discount of GBP 55 will apply to the Certificate of Sponsorship and the visa application fee for citizens of Austria; Belgium; Croatia; Cyprus; Czech Republic; Denmark; Finland; France; Germany; Greece; Hungary; Iceland; Italy; Latvia; Luxembourg; Malta; Netherlands; North Macedonia; Norway; Poland; Portugal; Slovak Republic; Spain; Sweden and Turkey.</p> <p>The above fees may vary depending on the size of the employer, type of the role and country of application. These fees are also subject to change as the Home Office updates the processing fees periodically.</p>
<p>4.</p>	<p>Frontier workers</p> <p>4.1 What formalities apply to frontier workers working in the UK but living in the EEA from 1 January 2021?</p>	<p>Frontier workers, who began work or self-employment in the UK before 31 December 2020 but reside in the EEA, will be able to be recognised as having frontier worker status.</p> <p>Frontier workers must:</p> <ul style="list-style-type: none"> • be working, i.e. employed or self-employed before 31 December 2020*; • carry out 'genuine and effective' work in the UK, i.e. their work in the UK must not be a one-off event or marginal and ancillary to their lifestyle as a whole; • be in the UK for less than 180 days in the last 12-month period, or return to their country of residence at least once in the last six-month period or twice in the last twelve-month period.

		<p>*Individuals who have been working in the UK for a year or more but are currently unable to work (as a result of an illness, involuntary unemployment, training, pregnancy and maternity leave) will retain their frontier worker status for six months, or longer if they can show compelling evidence of continuing to seek work in the UK. Those, who previously worked in the UK for less than a year, will retain their status for six months only.</p> <p>Between 1 January 2021 and 30 June 2021, frontier workers can travel to the UK using their current passport or national ID card (they may need to provide evidence of their frontier working, i.e. employment/self-employment confirmation documents, upon request). A new scheme opened on 10 December 2020 to enable frontier workers to submit an online application to get digital confirmation of their status. For any travel to the UK after 1 July 2021, a frontier worker must hold digital confirmation of their status.</p> <p>The application for frontier workers will be free to apply for (either in or outside the UK). There is no deadline for applications. Frontier workers will get status for five years (or two years if they are currently are not working and have retained their status). Frontier worker status can be renewed indefinitely, but does not lead to permanent residence in the UK.</p>
5.	Permanent residence 5.1 From what date are third-country nationals entitled to apply for permanent residence?	<p>Permanent residence is normally after five years in work-related categories that lead to settlement. Permanent residence is not available for temporary or frontier workers, unless they switch to one of the other immigration categories.</p>
6.	Securing residence and work status 6.1 What steps could EEA/Swiss nationals take currently to secure their residence and work status?	<p>Currently EEA/Swiss nationals should consider:</p> <ul style="list-style-type: none"> • Applying for a permanent residence document under existing regulations based on free movement law, if they have resided in the UK for more than six years (this may slightly bring forward the person's eligibility date for British citizenship in some cases but is a more document-intensive application type). • Applying for British citizenship if eligible to do so (noting that their country of citizenship may not allow dual/multiple citizenship) • Entering the UK by 31 December 2020 to ensure eligibility under the EU Settlement Scheme.

		<ul style="list-style-type: none"> • Applying under the EU Settlement Scheme before 30 June 2021 if eligible to do so. • Understanding the absence requirements to obtain settled status under the EU Settlement Scheme and ensuring these are complied with. There must be no more than six months outside the UK in any one year, except that periods of compulsory military service, time spent abroad as a Crown servant, in the armed forces or as a family member of such a person will be ignored. There is also provision to allow a single absence of between six and 12 months for an 'important reason' such as childbirth; serious illness; study; vocational training or an overseas work posting. • Applying for settled status under the EU Settlement Scheme as soon as they are eligible for this rather than waiting until they are near the end of pre-settled status. • Working in the UK before 31 December 2020 to qualify for frontier worker status. • Applying for a frontier worker permit as soon as possible to ensure this is issued by 1 July 2021 (if they have been working in the UK before 31 December 2020). <p>Family members should consider:</p> <ul style="list-style-type: none"> • Applying for an EEA family permit if the eligible EEA/Swiss national primary applicant has not yet been granted status under the EU Settlement Scheme, the family member is currently outside the UK, and it will be possible for both the EEA/Swiss to apply under the EU Settlement Scheme in-country by 30 June 2021. • Applying for an EU Settlement Scheme family permit if the family member is currently outside the UK and the EEA/Swiss national primary applicant has already been granted status under the EU Settlement Scheme (noting that the family member will not be eligible to apply under the EU Settlement Scheme in-country if they enter the UK as a visitor). • Applying for British citizenship if eligible to do so (noting that their country of citizenship may not allow dual/multiple citizenship).
--	--	---

		<ul style="list-style-type: none"> • Applying under the EU Settlement Scheme before the relevant deadlines if eligible to do so. • Understanding the absences requirements to obtain settled status under the EU Settlement Scheme and ensuring these are complied with (these are the same as described above for EEA/Swiss nationals). • Applying for settled status under the EU Settlement Scheme as soon as they are eligible for this rather than waiting until they are near the end of pre-settled status.
	Author	<p>Andrew Osborne, andrew.osborne@lewissilkin.com</p> <p>Lewis Silkin LLP</p>

[Back to top](#)