

# **Brexit Guide**

## **for International Employers**

The UK left the EU at the end of January 2020 but remained tied to EU rules during a 'transition period' that lasts until 31 December 2020. But now that time is upon us and businesses on both sides of the Channel are preparing for what comes next. We explore how immigration between the UK and the EU will be handled from 1 January 2021 onwards.



Our specialist employment lawyers from across the EU and UK have put together this Guide to help international employers navigate these key issues. Sophie Maes, partner in our Belgian firm, Claeys & Engels and James Davies, partner in our UK firm Lewis Silkin are here to answer your questions.

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

- **Guidance on hard Brexit, with no deal**
- **Business travel**
- **Employment and residence**
- **Frontier workers**
- **Permanent residence**
- **Securing residence and work status**

## Brexit Guide 2020

AUSTRIA.....	4
BELGIUM.....	10
BULGARIA .....	16
CROATIA .....	19
CZECH REPUBLIC.....	25
DENMARK .....	29
FRANCE.....	33
GERMANY .....	38
GREECE .....	42
HUNGARY .....	48
ITALY .....	52
LATVIA.....	55
LUXEMBOURG.....	59
THE NETHERLANDS .....	64
POLAND .....	66
ROMANIA .....	71
SLOVENIA.....	77
SWEDEN.....	96
SWITZERLAND .....	84
UNITED KINGDOM.....	89

## AUSTRIA

1.	<p><b>Guidance</b></p> <p><b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b></p>	<p><b>Yes.</b></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 5 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.	<p><b>Business travel</b></p> <p><b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a ‘no deal’ Brexit?</b></p>	<p><b>No.</b></p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It will apply from the day the UK is no longer</p>

		<p>subject to EU law. When it takes effect, UK citizens will be able to enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-days 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 will apply from 1 January 2021.</p>
	<p><b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p>According to the current status, UK travellers will 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"> <li>• 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;</li> <li>• proof of employment issued by the employer, if requested by the authorities.</li> </ul> <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><b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></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"> <li>• the applicable wage and working conditions for employees that would be employed by a domestic company in Austria are observed;</li> <li>• the project does not last longer than six months,</li> <li>• the secondment of the individual foreign worker lasts at least four months; and</li> <li>• 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.</li> </ul> <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.	<b>Employment and residence</b>  <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<p><b>Yes.</b></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"> <li>• family members of an EU national or a non-EU national who has an authorisation to work in Austria (subject to concrete conditions);</li> <li>• managers with special qualifications;</li> <li>• lecturers in international educational institutions (concerning scientific, educational, cultural or social matters);</li> <li>• media correspondents.</li> </ul> <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>

<p><b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b></p>	<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>
<p><b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b></p>	<p>The most common categories are:</p> <p><b>Work permit:</b> 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><b>Work authorisation:</b> 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"> <li>• 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)</li> <li>• 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.</li> </ul>
<p><b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b></p>	<p><b>Work permit:</b> 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><b>Work authorisation:</b> 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><b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b></p>	<p><b>Work permit</b> (without residence permit):</p> <ul style="list-style-type: none"> <li>• Application: about EUR 14,30 (depending on the concrete circumstances),</li> <li>• Grant: about EUR 6,50 (depending on the concrete circumstances),</li> <li>• Enclosure fees (a charge for supporting documents submitted with the application): EUR 3,90 per sheet.</li> </ul> <p><b>Work authorisation</b> (Red-White-Red Card):</p> <ul style="list-style-type: none"> <li>• Application: EUR 120</li> <li>• Grant: EUR 20</li> </ul> <p>Costs of personalisation (fingerprints, scan of photograph and signature): EUR 20</p>
4	<p><b>Frontier workers</b></p> <p><b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b></p>	<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.	<p><b>Permanent residence</b></p> <p><b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b></p>	<p>After five years of legal stay in Austria (subject to concrete conditions).</p>
6.	<p><b>Securing residence and work status</b></p> <p><b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b></p>	<p>Currently (in the absence of any specific contingency rules):</p> <ul style="list-style-type: none"> <li>• 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);</li> </ul>



		<ul style="list-style-type: none"> <li>• Applying for permanent residence if conditions are met (see point 4.1);</li> <li>• 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);</li> <li>• Preparing documents for family reunification with an EU national, if relevant.</li> </ul>
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[Back to top](#)

## BELGIUM

1.	<p><b>Guidance</b></p> <p><b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b></p>	<p><b>Yes*</b></p> <p>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 will be able to continue to do so after 31 December 2020. They will have ‘Beneficiaries of the Withdrawal Agreement’ status. They will need to 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:</p> <ul style="list-style-type: none"><li>• valid Passport or identity card;</li><li>• current European residence card<ul style="list-style-type: none"><li>◦ E(+)-card for British citizens living in Belgium,</li><li>◦ F(+)-card for non-EU family members;</li></ul></li><li>• Annex 15 for frontier workers (or proof that they were working as an employee/self-employed person on 31 December 2020 or had sufficient means of subsistence or were registered as a student).</li><li>• Criminal record (maximum six months old).</li></ul> <p>UK citizens living in Belgium will be informed individually of the procedure for applying for their new residence card as ‘Beneficiaries of the Withdrawal Agreement’.</p> <p>UK citizens who do not reside in Belgium or do not work as a frontier worker in Belgium by 31 December 2020 will be considered as third-country nationals and require authorisation to work and reside unless an exemption applies.</p> <p>However, the following family members will be 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"><li>• 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) ;</li></ul>
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		<ul style="list-style-type: none"> <li>• partner with whom the UK citizen has a durable relationship, duly attested;</li> <li>• children born or legally adopted after 31 December 2020.</li> </ul> <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> <p><i>*Relevant legislation has been approved but must still be published in the Belgian Gazette date on which it will enter into force</i></p>
2.	<b>Business travel</b>  <b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p><b>No.</b></p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It will apply from the day the UK is no longer subject to EU law, i.e. 1 January 2021. When it takes effect, UK citizens will be able to enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p>
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<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>
	<b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<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 might nonetheless need a work permit B after 31 December 2020. Third-country business visitors are only 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</p>

		<p>'closed circle' include negotiations with customers, evaluations with staff and company strategy meetings.</p> <p>Other exemptions exist such as:</p> <ul style="list-style-type: none"> <li>• Qualified and specialised employees who work on the initial assembly and/or installation of delivered goods, for up to 8 days. Note that this exemption does not apply in the construction sector;</li> <li>• Specialised technicians who are required for urgent maintenance work or repairs to machines delivered by a foreign employer for a maximum of 5 days per month;</li> <li>• Foreign employees coming to Belgium to test prototypes of cars or products developed by a recognised research institution for up to 4 weeks per year.</li> </ul>
3.	<p><b>Employment and residence</b></p> <p><b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b></p>	<p><b>Yes</b>, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> <li>• 'Beneficiaries of the Withdrawal Agreement' (E(+)-card/ F(+)-card /Annex 15 until exchange for M-card or N-card by 31 December 2021)</li> <li>• family members of an EU national or a non-EU national who has authorisation to work (subject to conditions);</li> <li>• holders of a permanent Belgian residence permit (electronic B-card, C-card or D-card);</li> <li>• '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);</li> <li>• students enrolled at a Belgian educational establishment during school holidays or outside school holidays for maximum 20 hours per week;</li> <li>• students enrolled at a Belgian, EEA or Swiss educational establishment to follow mandatory training in Belgium to obtain their degree.</li> </ul>

		<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>
	<p><b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b></p>	<p>No.</p>
	<p><b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b></p>	<p>For employees in <b>Brussels</b>:</p> <ul style="list-style-type: none"> <li>• highly skilled employees: Bachelor's degree and annual remuneration of at least EUR 42,869 gross (2020)/ EUR 43,395 gross (2021);</li> <li>• management personnel: annual remuneration of at least EUR 71,521 gross (2020)/ EUR 72,399 gross (2021);</li> <li>• trainees (subject to conditions).</li> </ul> <p>For employees in <b>Flanders</b>:</p> <p>The Flemish Region applies an economic migration model based on three separate profiles:</p> <ul style="list-style-type: none"> <li>• highly qualified (Bachelor's degree and annual remuneration of at least EUR 42,696 gross (2020) EUR 43,524 gross (2021) or EUR 34,156.80 gross (2020)/ EUR 34,819.20 gross (2021) for employees aged up to 30 working for a Belgian employer and other special profiles (subject to conditions);</li> <li>• certain medium-skilled profiles (only for shortage professions listed in a dynamic bi-annual shortage profession list);</li> <li>• profiles that fall into a residual category subject to a labour market test and for whom 'special economic and social reasons' must be established.</li> </ul>

		<p>For employees in <b>Wallonia</b>:</p> <p>The Walloon Region also applies an economic migration model based on three separate profiles:</p> <ul style="list-style-type: none"> <li>highly qualified (Bachelor's degree and annual remuneration of at least EUR 42,869 gross (2020)/(amount 2021 not yet official) 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);</li> <li>shortage professions (annual list);</li> <li>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.</li> </ul>
	<p><b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b></p>	<p><i>Permission to work and stay in Belgium for less than 90 days:</i></p> <ul style="list-style-type: none"> <li>employer needs to apply for a work permit B from the competent Region: 3 to four weeks;</li> <li>depending on the circumstances of the case, the employee may need to apply for a residence permit.</li> </ul> <p><i>Permission to work and stay in Belgium for more than 90 days:</i></p> <ul style="list-style-type: none"> <li>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;</li> <li>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.</li> </ul>
	<p><b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b></p>	<p>Work permit B: EUR 25 to 50 (administrative fee depends on the commune)</p> <p>Single Permit: EUR 363</p>
<b>4.</b>	<b>Frontier workers</b>	

	<b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	<p>UK frontier workers in service before 31 December 2020 are able to continue to do so afterwards as 'Beneficiary of the Withdrawal agreement'. They will need to 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 will 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>
	<b>Permanent residence</b> <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	<p>After five years of legal and uninterrupted stay in Belgium (subject to conditions).</p>
6.	<b>Securing residence and work status</b> <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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).</li> <li>- Applying for an EU permanent residence card (E+ card or F+ card for non-EU family members) if conditions are met.</li> <li>• 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.</li> <li>• Preparing documents for family reunification with an EU national if relevant.</li> </ul>
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[Back to top](#)

## BULGARIA

1.	<p><b>Guidance</b></p> <p><b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b></p>	<p><b>Yes.</b></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"><li>• UK nationals who entered and reside legally as of 1 February 2020 or possess a residence certificate;</li><li>• UK nationals who entered and reside legally during the transition period;</li><li>• family members of UK nationals under the first two bullets who became family members during or after the transition period; and</li><li>• UK nationals who are family members of Bulgarian nationals.</li></ul> <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 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.	<p><b>Business travel</b></p>	<p><b>No.</b></p>



	<b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<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 will apply from the day the UK is no longer subject to EU law. When it takes effect, UK citizens will be able to enter and stay in the Member States' area for a maximum of 90 days in any rolling 180-day period.</p> <p>The exemption will apply from 1 January 2021.</p>
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<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>
<b>3.</b>	<b>Employment and residence</b>	
	<b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<p><b>Yes</b>, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> <li>managers/directors of Bulgarian entities officially registered with the Bulgarian Commercial Register;</li> <li>attending business meetings;</li> <li>family members of an EU national (subject to other work-related formalities;)</li> <li>holders of a permanent Bulgarian residence permit.</li> </ul>
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	<p><b>Yes.</b></p> <p><b>General case:</b> 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><b>Small and medium-sized enterprises:</b> 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>
	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	<p>Types of work and residence permits:</p> <ul style="list-style-type: none"> <li>Single work and residence permit: this require labour market test; the quota requirements described in 3.2 above apply.</li> <li>EU Blue Card.</li> </ul>

		<ul style="list-style-type: none"> <li>• Inter-company transfer work and residence permit.</li> <li>• Work permit and residence for seconded employees.</li> </ul>
	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	<p>The procedures usually take five to six months and include the following steps:</p> <ul style="list-style-type: none"> <li>• obtaining a work authorisation;</li> <li>• obtaining a long-term visa;</li> <li>• obtaining a residence authorisation.</li> </ul>
	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	Depending on the type of the work and residence permit the official fees may vary between EUR 400-800.
<b>4.</b>	<b>Frontier workers</b> <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	No special rules have been adopted for frontier workers, meaning that frontier workers may not continue to work in Bulgaria after 1 January 2021.
<b>5.</b>	<b>Permanent residence</b> <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	Five years of legal stay in Bulgaria.
<b>6.</b>	<b>Securing residence and work status</b> <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	UK nationals can apply for a residence permit, if they fall under the categories listed in 1, above.
	<b>Author</b>	Nedyalka Novakova, Boyanov & Co

[Back to top](#)

## CROATIA

1.	<p><b>Guidance</b></p> <p><b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b></p>	<p><b>Yes.</b></p> <p>In relation to UK nationals currently residing in the Republic of Croatia, the Croatian government has prepared contingency rules in the new Act on EEA nationals and their family members (OG, No. 66/2019, the ‘Act’). These contingency rules will become effective on the exact Brexit date in the event of a no-deal scenario.</p> <p>According to these contingency rules, and as the legislation currently stands, UK nationals and their family members who had temporary or permanent residence in Croatia on the day before the exact Brexit date will maintain their entitlement to residence in Croatia, according to their already issued and valid residence permits. Family members of these UK nationals who did not have official temporary or permanent residence entitlement in Croatia on the day before the exact Brexit date will have to regularise their residence in Croatia, depending on their nationality (for UK nationals, the same rules as for any other third-country nationals shall apply). The contingency rules do not give an explicit deadline for this and individuals concerned are advised to contact the authorities for clarification on timing.</p> <p>However, temporary residence permits (which are, according to Croatian law, issued to EEA nationals and their family members) issued to UK nationals and their family members who are UK or other third-country nationals residing in Croatia will be valid for one year from the exact Brexit date, or until expiry of the current temporary residence permit, depending on which date is earlier. After that, these individuals will have to establish their residence status in Croatia based on the same rules as any other third-country national.</p> <p>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.</p> <p>This basically means they will need to regularise their status in Croatia based on a residence and work permit. This can be issued based on an annual quota or outside of the annual quota (depending on the nature and type of work they will perform in Croatia), unless they can rely on some of exemptions expressly prescribed by the law (please see under 3.1 below).</p> <p>However, the Croatian government has recently proposed 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 is still in the legislative process but if adopted, it will become effective on 1 January 2021. By the</p>
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		<p>provisions of the Amendment, the contingency rules described above will no longer apply. The Croatian legislature appears to operate under the assumption that there will be a Brexit deal in place on 1 January 2021. Still, it is possible that the Amendment will not become law if a no-deal scenario becomes likely as the end of the year approaches.</p> <p>According to the proposed Amendment rules, UK nationals and their family members who had 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 2021 and 30 June 2021. The same rules apply to UK nationals who won't yet have a valid temporary or permanent residence permit on 31 December 2020, but who will have been lawfully residing in Croatia on that date and will continue to do so.</p> <p>UK nationals who are not physically present in Croatia on 31 December 2020 can submit their application within six months from the date of next entry into Croatia provided that they meet the criteria for continuity of residence under Article 11 WA.</p> <p>Details on ways to prove residence should be determined in an Ordinance issued by the Minister of Internal Affairs.</p> <p>The Amendment also establishes rules applicable to UK nationals who are frontline workers. For more detail, see 4 below.</p>
2.	<b>Business travel</b>  <b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p><b>No.</b></p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It will apply from the day the UK is no longer subject to EU law. When it takes effect, UK citizens will be able to enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>Please note that the territory of Croatia is still not part of Schengen area: however, according to the Croatian Foreigners Act (Official Gazette, No. 130/11, 74/13, 69/17, 46/18 and 53/20) rules on entry and stay of third-country nationals in Schengen area prescribed by the relevant Schengen legislation apply to entry and stay of third-country nationals on the territory of Croatia.</p> <p>The Schengen exemption will apply from 1 January 2021.</p>

	<p><b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p>For a stay of no longer than 90 days in any 180-day period UK nationals will 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>On the assumption that UK citizens will be considered third-country nationals, additional documentation may be required to demonstrate they meet the following conditions:</p> <ul style="list-style-type: none"> <li>• they have a justification for the purpose of their stay in Croatia;</li> <li>• 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;</li> <li>• their return to their country of origin or travel to another country is determined to be safe;</li> <li>• they are not prohibited from entering and staying in Croatia,</li> <li>- they do not pose a threat to public order, national safety or public health in Croatia.</li> </ul> <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>
	<p><b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p><b>No</b>, UK nationals will be able to travel to Croatia for up to 90 days in any 180-day period without a visa as a tourist, to visit family or friends, to attend business meetings, cultural or sports events, or for short-term studies or training.</p>
<p><b>3.</b></p>	<p><b>Employment and residence</b></p> <p><b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b></p>	<p><b>Yes</b>, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> <li>• holders of a permanent residence permit in Croatia;</li> <li>• granted asylum and/or international protection in Croatia (subject to conditions);</li> <li>• holders of a temporary residence permit for humanitarian reasons in Croatia;</li> <li>• holders of a temporary residence permit for scientific research in Croatia (subject to conditions);</li> <li>• holders of a temporary residence permit 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;</li> </ul>

		<ul style="list-style-type: none"> <li>• family members of a Croatian national, third-country national holding a permanent residence permit in Croatia, someone who has been granted asylum and/or international protection in Croatia (subject to conditions);</li> <li>• family members of a third-country national holding a temporary residence permit for scientific research in Croatia (subject to conditions);</li> <li>• family members of an EU national or a non-EU national who has authorisation to work in another EU country or a permanent residence permit in another EU country (subject to conditions);</li> <li>• holders of an EU Blue Card (issued to a highly qualified third-country national, subject to conditions);</li> <li>• holders of a work registration certificate, enabling stay and work in Croatia for up to 90, 60 or 30 days in one calendar year, depending on the exact profession and/or purpose of work in Croatia.</li> </ul>
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	<p><b>Yes.</b></p> <p>In Croatia, this permission is called a residence and work permit. It can be issued based on an annual quota or outside of the annual quota. On an annual basis, the Croatian government decides on the number of residence and work permits for activities in which employment of third country nationals will be allowed. In contrast to this annual quota system, residence and work permits can also be issued outside of the annual quota, but only in cases explicitly prescribed by the law.</p> <p>A residence and work permit is issued for a maximum period of one year, with a possibility of extension.</p>
	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	<p>The current law in Croatia sets out the following categories:</p> <ol style="list-style-type: none"> <li>1. Leading or key personnel in companies. The main conditions are: <ul style="list-style-type: none"> <li>• Minimum monthly remuneration equal to the average monthly salary paid in Croatia in last calendar year according to officially published data from the Bureau of Statistics;</li> <li>• The company employs at least three employees who are Croatian nationals and are not leading or key personnel,</li> <li>• The share capital of the company exceeds HRK 100,000.</li> </ul> </li> <li>2. Professional athletes (subject to conditions).</li> </ol>

		<p>3. Trainees (subject to conditions).</p> <p>4. Highly skilled employees (subject to conditions).</p>
	<p><b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b></p>	<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 in Croatia. A Croatian employer can also apply for a residence and work permit on behalf of an employee.</p> <p>If the application is submitted in Croatia, the competent Croatian Ministry of Interior office is required to issue a residence and work permit within a period of 30 days following submission of a complete application.</p>
	<p><b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b></p>	<p>Currently, total Government fees are around HRK 900 (approximately EUR 121).</p>
4.	<p><b>Frontier workers</b></p> <p><b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b></p>	<p>According to the pending Amendment rules, tUK nationals who are considered frontline workers on 31 December 2020, must apply for a so-called Frontline Pass which confirms their status as a frontline worker. The applications must be submitted from 1 January 2021 to the competent police station relative to the place of work. The application will consist of:</p> <ul style="list-style-type: none"> <li>• a valid passport or an ID card; and</li> <li>• proof that they have performed a business activity as a frontline worker prior to 31 December 2020 and will continue this activity after that date.</li> </ul> <p>Technical details for issuing the Frontline Pass will be provided in the Ordinance to be issued by the Minister of Interior Affairs.</p>
5.	<p><b>Permanent residence</b></p> <p><b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b></p>	<p>Five uninterrupted years of legal stay in Croatia (subject to conditions).</p>
6.	<p><b>Securing residence and work status</b></p> <p><b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b></p>	<ul style="list-style-type: none"> <li>• Applying for an EU residence card, or EU residence card for non-EU family members as soon as possible.</li> <li>• Applying for a permanent residence permit in Croatia or another EU country, if conditions are met.</li> </ul>

		<ul style="list-style-type: none"> <li>• Applying for Croatian, EEA or Swiss nationality, if conditions are met, but individuals should consider the consequences before doing so.</li> <li>• Preparing documents for family reunification with a Croatian or EU national, if relevant.</li> </ul> <p>Preparing documents for a residence and work permit (inside or outside of the annual quota), 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 under 3.1 above).</p>
	<b>Author</b>	Andrej Žmikić, DTB

[Back to top](#)



## CZECH REPUBLIC

1.	<p><b>Guidance</b></p> <p><b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b></p>	<p><b>After 1 January 2021, UK nationals will be considered third-country nationals</b> (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) <b>with the following exceptions:</b></p> <ul style="list-style-type: none"> <li>• 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 <b>will retain their right of residence and will not need permission to stay</b>. These individuals will not need to obtain permission to work either but <b>will retain free access to the Czech labour market</b>.</li> <li>• 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) will retain the <b>right to maintain access to employment</b>. They may apply for a <b>special certificate</b> (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).</li> <li>• <b>Posted UK workers will be allowed to finish the planned period of posting</b> (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, <b>posted workers should continue to be treated in accordance with the Posted Workers Directive (and national transposing legislation)</b>.</li> </ul> <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, lease contract for a flat, etc. However, the Ministry of the Interior recommends that UK nationals apply for a certificate of temporary or permanent residence prior to the end of 2020.</p> <p>Information of Ministry of Labour and Social Affairs is accessible <a href="#">here</a> (in ENG).</p>
2.	<p><b>Business travel</b></p>	<p>At a national level, we currently do not have any information as to whether UK nationals will need to apply for business visa after 1 January 2021. However, a visa-</p>

	<b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p>free regime is expected for stays of no more than 90 days in any 180-day period (this is not yet confirmed).</p> <p>However, should work be performed in the Czech Republic, the relevant permission for these purposes will be required.</p>
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p>We do not know whether UK citizens will be entitled to visa-free entry. However, <b>we recommend that UK citizens should have passports with sufficient validity ready</b> (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>
	<b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p>Unless one of the exceptions listed above applies, <b>UK nationals will, as a rule, need special permission to work in the Czech Republic.</b></p>
<b>3.</b>	<b>Employment and residence</b>	
	<b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<p>With the exceptions stated above, <b>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.</b> As regards stays in the Czech Republic, visa will be most likely required for long-term stays. For short-term stays, we do not currently have any information on visa-free entry at the national level. Permission to work will be generally always needed (there are, however, certain limited exceptions to this rule).</p>
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	<p>Quotas apply only with respect to specific countries. <b>No quotas are currently in place with regard to the UK or UK nationals and, to our knowledge, no quotas are currently being considered.</b></p>
	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	<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"> <li>• <b>employee card:</b> generally, combines both permissions to stay and work;</li> <li>• <b>blue card</b> (for highly qualified workers): combines both permissions to stay and work;</li> </ul>

		<ul style="list-style-type: none"> <li>• <b>intra-company employee transfer card</b> combines both permission to stay and work;</li> <li>• <b>work permit:</b> permission to work (can be combined with a short-term Schengen visa or long-term visa/permission to stay).</li> </ul> <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, etc.</p>
	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	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.
	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	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.
<b>4.</b>	<b>Frontier workers</b> <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	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.
<b>5.</b>	<b>Permanent residence</b> <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	Third-country nationals may obtain permanent residence <b>after five years of legal stay in the Czech Republic</b> . 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.	<p><b>Securing residence and work status</b></p> <p><b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b></p>	<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><b>We recommend that UK nationals apply for a certificate of temporary or permanent residence as soon as possible, by 31 December 2020 at the latest.</b> By 31 December 2020, the application must be filed not processed. In order to apply for certificate of temporary residence, no limit on the length of prior stay in the Czech Republic has been set.</p> <p>If an application for a certificate of temporary or permanent residence has not been filed by the end of 2020, the situation may be more difficult. However, 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 nonetheless be preserved (even without a certificate) provided that the UK national has and can provide sufficient proof of his or her 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	Nataša Randlová, David Smolař / Randl Partners

[Back to top](#)

## DENMARK

1.	<p><b>Guidance</b></p> <p><b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b></p>	<p>The Danish government has taken several steps regarding UK nationals currently living 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.</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 apply 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 Transition Period ends.</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>In early November, the Danish Agency for International Recruitment and Integration (SIRI) sent an information letter 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) <a href="#">here</a>.</p>
2.	<p><b>Business travel</b></p> <p><b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a ‘no deal’ Brexit?</b></p>	<p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It will apply from the day the UK is no longer subject to EU law. However, due to Denmark’s EU opt-out on criminal justice and home affairs, new EU decisions regarding Schengen would have to be ratified before the rules can take effect in Denmark. It is expected that this decision will be ratified.</p> <p>Under the regulation, UK nationals will be able to enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p>

		The Schengen exemption will apply from 1 January 2021.
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<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>
	<b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	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 in Denmark without a work permit.
<b>3.</b>	<b>Employment and residence</b> <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<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"> <li>• short stays for engagements such as meetings or training that can be undertaken without a work permit;</li> <li>• 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;</li> <li>• third country nationals with a permanent residence permit for Denmark are exempt from the requirement for a work permit.</li> </ul>
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	No quotas apply.

	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	<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 436,000 (approximately EUR 58,523.50).</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>
	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	<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>
	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	<p>Currently, the fee for applying for a permit under the Pay Limit Scheme is DKK 3,215 (approximately EUR 430).</p>
<b>4.</b>	<b>Frontier workers</b> <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	<p>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).</p> <p>UK nationals not covered by the Withdrawal Agreement 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.</p>
<b>5.</b>	<b>Permanent residence</b> <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	<p>As a starting point, third-country nationals must have stayed in Denmark for eight years. However, a four-year limit applies under certain circumstances.</p>

		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.	<b>Securing residence and work status</b> <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<p>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.</p> <p>UK nationals could apply for permanent residence under EU rules before Brexit provided that the conditions are met.</p> <p>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.</p>
	<b>Author</b>	Elsebeth Aaes-Jørgensen, Norrbom Vinding

[Back to top](#)



## FRANCE

1.	<b>Guidance</b> <b>1.1 Has any guidance been issued in relation to a 'no deal' Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b>	<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"><li>• 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.</li><li>• 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.).</li><li>• UK citizens who have been residing in France for at least five years will be entitled to residency card (valid for ten years).</li></ul> <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: <a href="#">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)</a>.</p> <p>This includes UK citizens:</p> <ul style="list-style-type: none"><li>• with a European carte de séjour (even if it is marked 'permanent', or has no expiry date);</li><li>• without a European carte de séjour (it is currently optional to have one);</li><li>• applying for a second nationality;</li><li>• married to or in a civil partnership with (known as PACSed) EU nationals;</li><li>• who are recently arrived or well established in France.</li></ul> <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>
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		Other UK citizens, who will arrive in France as of 1 January 2021, will have to apply for a residence permit at the prefecture.
<b>2.</b>	<b>Business travel</b>  <b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p>No, Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It will apply from the day the UK is no longer subject to EU law. When it takes effect, UK citizens will be able to enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption will apply 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><b>Long stay:</b></p> <p>For longer stays, UK employees should obtain one of the work permits listed in section 3.4 below.</p>
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p>The ETIAS document as 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>
<b>3.</b>	<b>Employment and residence</b>  <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<p>UK citizens and their family members who begin 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>

<p><b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b></p>	<p><b>No.</b></p>
<p><b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b></p>	<p>The work permit may take the form of either a visa or residence permit or a separate document.</p> <p><b>Visa / Residence permit:</b></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"> <li>• ‘talent’ residence permit (mostly for foreigners with a French diploma and whose annual wage is higher than EUR 36,946.20);</li> <li>• ‘posted worker’ residence permit;</li> <li>• 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.);</li> <li>• long-term resident card (French resident for at least five years, among other conditions)</li> </ul> <p>Documents leading to the granting of work permits after approval by the French labour administration (DIRECCTE):</p> <ul style="list-style-type: none"> <li>• ‘employee’ residence permit (for employees with a permanent employment contract);</li> <li>• ‘temporary worker’ residence permit (for employees with a fixed-term employment contract);</li> <li>• ‘seasonal worker’ residence permit (for employee with seasonal employment contract).</li> </ul> <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><b>Separate work-permit:</b></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>

	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	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.
	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	<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"> <li>• When hiring for between three and 12 months: from EUR 74 to EUR 300 depending on the amount of the wage;</li> <li>• When hiring for more than 12 months: 55% of the monthly salary (capped).</li> </ul> <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>
<b>5.</b>	<b>Permanent residence</b>  <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	<p>The permanent resident card can be obtained by holders of:</p> <ul style="list-style-type: none"> <li>• 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.).</li> <li>• A long-term EU resident card granted to employees who have lived in France legally and continuously for at least five years.</li> </ul> <p>Both cards are valid for ten years. When they expire, their holder may apply for a permanent resident card.</p>
<b>6.</b>	<b>Securing residence and work status</b>  <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<ul style="list-style-type: none"> <li>• Applying for an EU residence or permanent residence card as soon as possible.</li> <li>• Applying for French nationality. However, no specific procedures exist to facilitate access to French nationality for British citizens.</li> </ul> <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 right of residence: exercise of a professional activity, having sufficient resources, pursuing training or being a family member of a French resident.</p>

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[Back to top](#)

## GERMANY

1.	<p><b>Guidance</b></p> <p><b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b></p>	<p><b>Yes.</b></p> <p>There are two categories of UK citizens:</p> <p><b>Category 1:</b> UK citizens resident in Germany prior to or on 31 December 2020</p> <p><b>Subcategory a:</b> 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><b>Subcategory b:</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><b>Category 2:</b> 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). Currently, UK citizens must obtain this visa prior to entering Germany, for example at the German Embassy in London or the German Consulate in Edinburgh. According to the current law, they are not allowed to enter visa-free and then apply for a work/residence permit at the local foreign nationals office after entry (as is, for example, permissible for US citizens), though a change in this legal situation is</p>
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		<p>expected. Favourable prerequisites apply to some residence/work permit applications by UK citizens.</p> <p>Please see 4 below for information on frontier workers.</p>
2.	<b>Business travel</b>  <b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p><b>No.</b></p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. UK citizens will be able to 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 is not considered employment in Germany if it fulfils the following prerequisites:</p> <ul style="list-style-type: none"> <li>• The foreign citizen is employed abroad in the commercial or trading sector by an employer domiciled in Germany.</li> <li>• 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.</li> <li>• The foreign citizen is establishing, monitoring or managing a German part of a corporation for an employer domiciled abroad.</li> </ul> <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>
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<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 Germany.</p> <p>Proof of duration and purpose of stay as border control may ask additional questions concerning the duration and purpose of stay.</p>

	<b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p><b>Yes.</b></p> <p>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).</p>
<b>3.</b>	<b>Employment and residence</b>  <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<p><b>Yes.</b></p> <p>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.</p>
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	<b>No.</b>
	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	<p><b>EU Blue Card:</b> main prerequisites:</p> <ul style="list-style-type: none"> <li>• university degree and an appropriate local job offer in Germany with annual remuneration of at least EUR 56,800 gross in 2021;</li> <li>• 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.</li> </ul> <p><b>Residence/work permit for purposes of conducting academically skilled employment</b> (Aufenthaltserlaubnis zum Zweck der Beschäftigung für Fachkräfte mit akademischer Ausbildung): main prerequisites:</p> <ul style="list-style-type: none"> <li>• a local job offer in Germany in a skilled job;</li> <li>• a university degree recognised in Germany;</li> <li>• labour market test: the employee will especially not be employed under less favourable working conditions than comparable national workers.</li> <li>•</li> </ul>
	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	<p><b>Appointment waiting time:</b> The foreign citizen must apply in person for a visa at a German embassy or consulate. Waiting times for an appointment vary widely depending on the location. At the German embassy in London, however, appointments are usually available at short notice.</p>



		<b>Processing time:</b> Depending on the permit, the processing time can vary between a few days and around eight weeks.
	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	Usually between 75 and 150 EUR.
<b>4.</b>	<b>Frontier workers</b> <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	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.
<b>5.</b>	<b>Permanent residence</b> <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	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.
<b>6.</b>	<b>Securing residence and work status</b> <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	Apply for the documentation outlined above as soon as possible.
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[Back to top](#)

## GREECE

1.

### Guidance

**1.1 Has any guidance been issued in relation to a 'no deal' Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?**

Yes.

- 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.

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. UK citizens residing in Greece before the end of the transition period but who are not registered continue to enjoy free movement rights during the transition period, during which Union law applies, namely from 1 February 2020 to 31 December 2020. 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 in accordance with EU law before the end of the transition period and continue thereafter.

		<ul style="list-style-type: none"> <li>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.</li> </ul>
2.	<b>Business travel</b>  <b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p><b>No.</b></p> <p>In view of Brexit, the EU and its 27 Member States have reviewed the <a href="#">Visa Regulation</a> 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 will allow British citizens to visit any EU country for tourist or business purposes, visa-free, for 90 days within an 180-day period.</p> <p>Third-country nationals coming to stay and work in Greece for more than 90 days require a residence permit for employment and business purposes. The type differs depending on the type of work involved. The same applies for the required documents. Law 4251/2014 provides for a residence permit for employment and business purposes for five categories:</p> <ul style="list-style-type: none"> <li>paid employment or provision of services or work;</li> <li>special purpose employees;</li> <li>investment activity;</li> <li>highly qualified employment (EU blue card)</li> <li>Intra-Company transfer (ICT)</li> </ul> <p>There is also provision for temporary residence with a national visa for several categories of employment, such as seasonal employment or for members of artistic groups.</p>
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<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><b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p>Regarding the 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"> <li>• Temporary inability to work as the result of an illness or accident.</li> <li>• Registration for involuntary unemployment after having been employed for more than one year and registration as a job-seeker with the relevant employment office.</li> <li>• 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.</li> <li>• Starting vocational training. Unless /she is involuntarily unemployed, the retention of the status of worker shall require the training to be related to the previous employment.</li> </ul> <p>For UK nationals not falling within the personal scope of the WA, see 2.1 above.</p>

<b>3.</b>	<b>Employment and residence</b>  <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<p><b>Yes.</b></p> <p>UK nationals will 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"> <li>• 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);</li> <li>• 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)</li> </ul>
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	<p><b>Yes.</b></p> <p>Quotas are established in a joint ministerial decision issued by the Ministers for the Interior, Foreign Affairs, Development &amp; Competitiveness, Shipping &amp; The Aegean, Labour, Social Security &amp; 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>
	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	<p>According to Greek Immigration Law the types of residence permits issued for employment and business purposes concern:</p> <ul style="list-style-type: none"> <li>• Employees with dependent employment relationship or provision of services or provision of work.</li> <li>• 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</li> </ul>

		<p>officials of companies with activities in Greece subject to conditions, press correspondents, foreign athletes and others).</p> <ul style="list-style-type: none"> <li>• Employees who want to practice independent economic activity or investment activity(an investment of at least four hundred thousand euros, which shall have positive effects on national economy).</li> <li>• Highly qualified employees ('EU Blue Card').</li> </ul> <p>As far as the issuance of temporary residence permits is concerned:</p> <ul style="list-style-type: none"> <li>• seasonal employment of third-country nationals (employment in Greece for a period of up to six months per calendar year, in a field of activity relating to temporary, seasonal employment);</li> <li>• fishermen;</li> <li>• members of artistic groups;</li> <li>• intellectual creators (for example authors, writers, directors, painters, sculptors, actors, musicians, singers, choreographers and stage designers);</li> <li>• third-country nationals transferred from undertakings established in a Member State of the EU or the EEA with the aim to provide services;</li> <li>• third-country nationals transferred from undertakings established in a third-country with the aim to provide services;</li> <li>• leaders of organised tourism groups;</li> <li>• athletes and coaches</li> <li>• higher education students participating in remunerated traineeship programmes.</li> </ul>
	<p><b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b></p>	<p>Greek legislation provides for a four-month period for the issuance of the permits. 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</p>

		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.
	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	Fees range depending on the type of residence permit. For instance, for dependent employees, employees practicing independent economic activity, athletes and coaches the fee is EUR 150 whereas for investment activity the fee is between EUR 500 and EUR 2000.
<b>4.</b>	<b>Frontier workers</b>  <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	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.
<b>5.</b>	<b>Permanent residence</b>  <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	In order to obtain permanent residence, a third-country national needs to complete five years of consecutive stay in Greece (subject to conditions).
<b>6.</b>	<b>Securing residence and work status</b>  <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<p>UK nationals who already hold permanent residence in Greece may apply for a ten-year residence permit. The starting date for the submission of applications for 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>

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[Back to top](#)

<b>HUNGARY</b>		
<b>1.</b>	<b>Guidance</b>  <b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b>	<p><b>Yes</b>, 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"> <li>• unemployment benefits;</li> <li>• health care;</li> <li>• pensions;</li> <li>• immigration status;</li> <li>• the legal status of lawyers working in Hungary.</li> </ul> <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:</p> <p>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>
<b>2.</b>	<b>Business travel</b>	<b>No.</b>



<p><b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It will apply from the day the UK is no longer subject to EU law. When it takes effect, UK citizens will be able to enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption will apply 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 the permit depends on the purpose of the residence in Hungary.</p>
<p><b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></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"> <li>• invitation letter;</li> <li>• a certificate from the employer allowing the business travel;</li> <li>• proof of trade relations between the companies (if any);</li> <li>• business bank statements for the last six months;</li> <li>• memorandum of association;</li> <li>• declaration on how the applicant's costs will be covered during their stay in Hungary/Schengen zone.</li> </ul> <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>

	<b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	No, if it does not exceed the 90-day period.
<b>3.</b>	<b>Employment and residence</b> <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<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"> <li>• family members of an EU national or a non-EU national who has authorisation to work (subject to conditions);</li> <li>• they work as a head of the branch and representative office of the third country company;</li> <li>• holders of an EU Blue Card.</li> </ul>
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	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).
	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	<p>The most common categories are the following:</p> <ul style="list-style-type: none"> <li>• leading personnel;</li> <li>• trainees (subject to conditions);</li> <li>• highly qualified and special profiles (subject to conditions);</li> <li>• certain medium-skilled profiles (only for shortage professions listed in a dynamic shortage profession list);</li> <li>• profiles that fall into a residual category subject to a labour market test;</li> <li>• seasonal permits for works not exceeding six months (can be extended by a maximum of six additional months);</li> </ul>

		<ul style="list-style-type: none"> <li>work permit for assignment purposes.</li> </ul>
	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	The procedure may take up to 70 days.
	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	EUR 60 / HUF 18,000 (Additional costs e.g. translation, photographs should be taken into consideration)
<b>4.</b>	<b>Frontier workers</b>	A permit may be needed which proves the frontier worker's status. However, the detailed provisions are not yet available.
<b>5.</b>	<b>Permanent residence</b> <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	Five years of legal and uninterrupted stay in Hungary or in the EU (subject to conditions).
<b>6.</b>	<b>Securing residence and work status</b> <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<ul style="list-style-type: none"> <li>Applying for an EU residence card as soon as possible.</li> <li>Applying for an EU permanent residence card if conditions are met.</li> <li>Applying for Hungarian nationality if conditions are met, but individuals should consider consequences before doing so.</li> <li>Preparing documents for family reunification with an EU national if relevant.</li> </ul>
	<b>Author</b>	Henrietta Hanyu CLV Partners

[Back to top](#)

## ITALY

1.	<p><b>Guidance</b></p> <p><b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b></p>	<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 takes effect, can 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 can ask for a permit called ‘for residence’ which is valid for five years and can be renewed.</p> <p>The provisions described above apply only in the event of a hard Brexit and start from the date of UK’s withdrawal from the EU.</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 have been residing for at least four years in Italian territory at the date when Brexit becomes effective and they apply for Italian citizenship by 31 December 2020.</p> <p>As far as healthcare in the context of social security systems is concerned, in the event of ‘no deal’, on condition that reciprocity is respected, EC Regulation 883/2004 will continue to apply to UK citizens and their families until 31 December 2020. At this stage, there are no provisions regarding how this issue will be managed after that date.</p>
2.	<p><b>Business travel</b></p> <p><b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a ‘no deal’ Brexit?</b></p>	<p><b>No.</b></p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It will apply from the day the UK is no longer subject to EU law. When it takes effect, UK citizens will be able to enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption will apply:</p> <ul style="list-style-type: none"> <li>• from Brexit date in the event of no deal;</li> <li>• from 1 January 2021 if the Withdrawal Agreement (‘WA’) is ratified (under the WA, UK nationals keep their EU free movement rights only until 31 December 2020).</li> </ul>

		<ul style="list-style-type: none"> <li>The border authorities can in any case ask for documentation justifying the reasons and duration of the stay in Italy.</li> </ul>
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	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.
	<b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	No, as long as the business travel lasts a maximum of 90 days in any rolling 180-day period.
<b>3.</b>	<b>Employment and residence</b> <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<b>Yes</b> , as a general rule, they will.
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	<b>Yes</b> , 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).
	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	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.
	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	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.

	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	<p>For a first work permit, the costs are as follows:</p> <ul style="list-style-type: none"> <li>• 1 stamp of EUR 16 for the request form;</li> <li>• EUR 30 for the registered letter to be sent to the competent police department;</li> <li>• EUR 30,46 for the release;</li> <li>• minimum EUR 80 and maximum EUR 130 depending on the kind of permit.</li> </ul>
<b>4.</b>	<b>Frontier workers</b> <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	<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>
<b>5.</b>	<b>Permanent residence</b> <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	<p>A third-country national can obtain the permanent residence if he or she 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>
<b>6.</b>	<b>Securing residence and work status</b> <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<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. In fact, in the event of a hard Brexit, starting from 1 January 2021 UK nationals will be considered non-EU citizens (with some exceptions).</p>
	<b>Author</b>	Valeria Morosini, Toffoletto De Luca Tamajo e Soci

[Back to top](#)

## LATVIA

1.	<p><b>Guidance</b></p> <p><b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b></p>	<p><b>Yes.</b> 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>In accordance with the provisions of the Law, documents confirming the right to reside in Latvia issued to UK citizens are valid until 31 December 2020 (unless the document’s validity period is shorter).</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 <a href="https://www.pmlp.gov.lv/en/assets/lesniegums_AKpilsoni_eng.doc">https://www.pmlp.gov.lv/en/assets/lesniegums_AKpilsoni_eng.doc</a>) enclosing a copy of their passport. The application can be submitted via mail or courier service or electronically, using a secure electronical 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 wish to enter Latvia after 31 December 2020 will be able to stay in Latvia as third-country nationals in accordance with the Immigration Law.</p>
2.	<p><b>Business travel</b></p> <p><b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a ‘no deal’ Brexit?</b></p>	<p><b>No,</b> Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It will apply from the day the UK is no longer subject to EU law. When it takes effect, UK citizens will be able to enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p>

		The Schengen exemption will apply from 1 January 2021.
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<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>
	<b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p><b>No.</b></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"> <li>• attending internal meetings, discussions or conferences;</li> <li>• attending client meetings;</li> <li>• undertaking sales or marketing activities, such as making sales calls to potential clients, or negotiating a business deal or contract;</li> <li>• exploring business opportunities.</li> </ul> <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>
<b>3.</b>	<b>Employment and residence</b> <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<p><b>Yes,</b> 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"> <li>• holder of a permanent residence permit or a residence permit as a long-term resident of the European Union in the Republic of Latvia;</li> <li>• 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;</li> <li>• 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;</li> </ul>



		<ul style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>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;</li> <li>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.</li> <li>'Van Der Elst exemption' (subject to conditions).</li> </ul>
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	No
	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	<ul style="list-style-type: none"> <li>residence permit with work authorisation;</li> <li>EU Blue Card for highly skilled foreign nationals;</li> <li>(EU) ICT Permit for managers, specialists and trainees on intra-company transfer assignments to Latvia.</li> </ul>
	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	<p>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> <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"> <li>seven to 30 calendar days for residence permit processing;</li> <li>one to seven calendar days booking a consular appointment (for visa nationals);</li> <li>one to seven calendar days for visa processing (for nationals who require a visa);</li> <li>two to 14 calendar days for residence card processing.</li> </ul>

	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	<p>Government fees would be:</p> <ul style="list-style-type: none"> <li>• EUR 69 for approval of sponsorship (additional fees for dependents) for an individual;</li> <li>• EUR 100-400 for processing a residence permit with permission to work, depending on processing speed;</li> <li>• EUR 15-30 for residence card processing, depending on processing speed; or</li> <li>• EUR 60-120 for processing a visa with permission to work, depending on processing speed.</li> </ul>
<b>4.</b>	<b>Frontier workers</b> <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	<p>UK frontier workers who entered Latvia before 31 December 2020 can keep their status if they apply for a residence permit at the OCMA before 31 December 2020. UK frontier workers who enter Latvia after 1 January 2021 need additional permission to work.</p>
<b>5.</b>	<b>Permanent residence</b> <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	<p>Five years of legal stay in Latvia (subject to conditions).</p>
<b>6.</b>	<b>Securing residence and work status</b> <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<p>Currently (in the absence of any specific contingency rules):</p> <ul style="list-style-type: none"> <li>• Applying for an EU residence card (and residence permit for non-EU family members) as soon as possible and certainly before 31 December 2020 and exchange their permits for the new ones before 30 June 2021.</li> </ul>
	<b>Author</b>	Marija Berdova, Alīna Ustinova, COBALT

[Back to top](#)

## LUXEMBOURG

1.	<p><b>Guidance</b></p> <p><b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b></p>	<p><b>Yes.</b></p> <p>The Luxembourg Government published guidance to provide information on the situation of UK nationals in Luxembourg after the end of the transition period (31 December 2020):</p> <ul style="list-style-type: none"> <li>• 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 after the end of the transition period (31 December 2020). In order to exercise the rights covered by the WA, they will need to apply for a specific residence document, which certifies their status as beneficiaries of the WA. This document will replace their current residence document. It is different from the document issued to EU citizens. The application for this new residence document become 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.</li> <li>• 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, will be 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.</li> </ul>
2.	<p><b>Business travel</b></p> <p><b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a ‘no deal’ Brexit?</b></p>	<p><b>No.</b></p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. The Schengen exemption will apply from 1 January 2021 (under the WA, UK nationals keep their EU free movement rights until 31 December 2020). When it takes effect, UK citizens will be able to enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p>

	<p><b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<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 will need to notify the appropriate communal administration of their presence within three working days from arrival.</p>
	<p><b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p><b>Yes</b>, 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>
<p><b>3.</b></p>	<p><b>Employment and residence</b></p> <p><b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b></p>	<p><b>Yes</b>, unless they can rely on an exemption such as:</p> <ul style="list-style-type: none"> <li>• business meetings (for stays shorter than three months);</li> <li>• intra-group provision of services excluding subcontracting (for stays shorter than three months);</li> <li>• family members of an EU national who works in Luxembourg;</li> <li>• intra-corporate transfer (subject to the condition that the UK employee holds an ICT residence permit in another member state);</li> <li>• posting (subject to conditions);</li> <li>• 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).</li> </ul>

<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	<p><b>No</b></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>
<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	<p>The most common categories are:</p> <ul style="list-style-type: none"> <li>• workers who are employees;</li> <li>• 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);</li> <li>• workers temporarily assigned to Luxembourg on an intra-corporate transfer (ICT); and</li> <li>• workers temporarily assigned from abroad to Luxembourg under the terms of a cross-border services agreement (posting of workers).</li> </ul>
<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	<p>Depending on the category of work permit 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 permits, 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>
<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	<p>A residence permit requires that the applicant fulfils two main steps:</p> <ul style="list-style-type: none"> <li>• An application for a temporary residence permit to submit from the country of origin. This application is free of charge.</li> <li>• An application for a definitive residence permit once the employee arrives in Luxembourg. This application is subject to a fee of EUR 80.</li> </ul>

4.	<b>Frontier workers</b>  <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	<p>British nationals who reside either in another EU Member State or in the UK and who are working in Luxembourg before the end of the transition period (31 December 2020) 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 after the transition period, <b>as of 1 January 2021</b>, will be 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.	<b>Permanent residence</b>  <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	<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 a 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.	<b>Securing residence and work status</b>  <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<p>UK nationals and members of their family currently residing in Luxembourg are still entitled to reside in Luxembourg after the end of the transition period. Although entitlement to residence and associated rights will remain similar to those they currently enjoy as EU citizens, they will be 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>
	<b>Author</b>	Dorothee David, Castegnaro

[Back to top](#)

## THE NETHERLANDS

1.	<b>Guidance</b> <b>1.1 Has any guidance been issued in relation to a 'no deal' Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b>	<p>British nationals and their family members who are lawfully resident in the Netherlands prior to 1 January 2021 will be 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 the Netherlands for work.</p>
2.	<b>Business travel</b> <b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b>	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.
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	There is still no certainty regarding this.
	<b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	It depends on situation.
3.	<b>Employment and residence</b> <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<p>Current status:</p> <p>Yes</p>
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	No



	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	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
	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	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).
	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	At the time of writing: EUR 290 for a knowledge migrant residence permit application.
<b>4.</b>	<b>Frontier workers</b> <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	There is still no certainty regarding this. It will depend on situation.
<b>5.</b>	<b>Permanent residence</b> <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	In general, after five years of legal stay in the Netherlands (subject to conditions).
<b>6.</b>	<b>Securing residence and work status</b> <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	Being employed and registered in the Netherlands before 1 January 2021. Apply for a residence permit to work and stay in the Netherlands.
	<b>Author</b>	Marlies Koggel, Courdid

## POLAND

1.	<p><b>Guidance</b></p> <p><b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b></p>	<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 is being processed. 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</p>
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		<p>transition period, frontier workers need to register their residence before 31 December 2021. They will receive a certificate of registration as a frontier worker.</p> <p>3. The Polish authorities plan to also enable the continuation of stay in Poland for UK citizens who until 31 December 2020 worked in Poland as posted workers. They would be entitled to obtain a special temporary residence permit for five years. The application for the permit would have to 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"> <li>• A work permit is required (unless an exemption applies).</li> <li>• Amended EU Regulation 2018/1806 includes UK nationals in the visa-free regime. Therefore, UK nationals will 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.</li> </ul>
2.	<b>Business travel</b>  <b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p><b>No</b></p> <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 will be able to enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption will apply from 1 January 2021.</p>
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p>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.</p>

	<b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	No, unless business travel is connected with a paid activity. In this case, a work permit would be required.
<b>3.</b>	<b>Employment and residence</b> <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<b>Yes.</b> However, there are exemptions from the obligation to obtain a work permit (e.g. UK nationals falling under the WA).
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	<b>No.</b> 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.
	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	Work permit type A: local hire; 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; Work permit type C: intra-corporate transferees posted for over 30 days in a calendar year; 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); Work permit type E: employees posted 'for other purposes' for over 30 days in six months.
	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	Processing time varies depending on the region and type of work permit: approximately five to sixteen weeks.

	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	Work permit: PLN 50 - 200; Residence Permit and Blue Card: PLN 440; Polish National Visa: EUR 80.
<b>4.</b>	<b>Frontier workers</b> <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	Frontier workers will either benefit from the WA or fall under the work permit obligation.
<b>5.</b>	<b>Permanent residence</b> <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	Usually, after four to six years of residence depending on what type of residence permit, they have.
<b>6.</b>	<b>Securing residence and work status</b> <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	Please see the options outlined above.
	<b>Author</b>	Michał Kacprzyk, Raczkowski sp.k.

[Back to top](#)



## ROMANIA

1.	<b>Guidance</b> <b>1.1 Has any guidance been issued in relation to a 'no deal' Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b>	<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 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><b>Transition period</b></p> <p><i>Requirements for entry/stay</i></p> <p>Throughout the transition period, until 31 December 2020, there is 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>At present, UK nationals and their family members have a right to stay in Romania as long as they comply 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 will be 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 can use the entry lanes established for EU citizens.</p> <p><b>Post-transition period</b></p> <p>The information below concerns the situation of UK nationals and their family members under the Withdrawal Agreement (WA).</p>
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	<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 <b>after the end of the transition period (31 December 2020)</b> should register for the new Resident status as beneficiaries of the Withdrawal Agreement. Registration must be carried out with the IGI/MoI 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 are 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/MoI, 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 will have a uniform, Europe-wide format and will take 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 will 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/MoI 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</p>
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	<p>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 <a href="http://evisa.mae.ro/home">http://evisa.mae.ro/home</a>. 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. Detailed information is available at <a href="http://evisa.mae.ro/home">http://evisa.mae.ro/home</a> (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 the 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 in imminently on the websites of relevant institutions.</p>
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2.	<p><b>Business travel</b></p> <p><b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p>Until the end of the transition period (31 December 2020) UK nationals will not require a visa to enter Romanian territory, all they need is a valid travel document at the border checkpoint.</p> <p>After the end of the transition period:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul> <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>
	<p><b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p>There is no actual guidance in place yet in terms of documentation required for visa-free business travellers.</p>
	<p><b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p>No</p>
3.	<p><b>Employment and residence</b></p> <p><b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b></p>	<p>Until the end of the transition period, citizens of the UK continue 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 will 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>

	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	Since work permits will not be required, no yearly quota condition will apply.
	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	Work permits will not be required.
	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	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.
	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	No information regarded the government fee for the residence permit is available yet.
<b>4.</b>	<b>Frontier workers</b>  <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	<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>
<b>5.</b>	<b>Permanent residence</b>  <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	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.

6.	<b>Securing residence and work status</b> <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<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"> <li>• standard application form;</li> <li>• travel document/passport in original and copy;</li> <li>• valid health insurance;</li> <li>• proof of lodging in original and copy;</li> <li>• proof of financial means of support.</li> </ul>
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[Back to top](#)

SLOVENIA		
1.	<b>Guidance</b>  <b>1.1 Has any guidance been issued in relation to a ‘no deal’ Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b>	<p>No.</p> <p>To our knowledge, amendments to the Foreigners Act and Employment, Self-employment and Work of Foreigners Act are being prepared which will address some of these matters.</p> <p>The amendment to the Foreigners Act is implementing the part of the Withdrawal Agreement governing the rights related to (continued) residence and the issuance of residence documents for residence for UK citizens and their family members who are legally resident in Slovenia at the end of the transitional period, i.e. on 31 December 2020 and intend to continue to reside in Slovenia after the transitional period.</p>
2.	<b>Business travel</b>  <b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a ‘no deal’ Brexit?</b>	<p>Slovenian immigration policy depends upon EU immigration policy. If the EU will require a visa for UK citizens to enter EU, this will also be required in Slovenia. Currently we are not aware of any legislation that would require a visa for UK citizens to enter Slovenia after 1 January 2021.</p>
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a ‘no deal’ Brexit?</b>	<p>Valid passport.</p>
	<b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a ‘no deal’ Brexit?</b>	<p>If a UK citizen will be performing work in Slovenia, an appropriate permission (Single Permit or EU Blue Card) will be required unless a more favourable agreement regarding this is reached. If a UK citizen will only be attending business meetings (and not generating income or directly performing sales or services) in Slovenia for a maximum of 90 days in a six-month period counted from the day of the first entry into Slovenia no permission is expected to be required.</p>
3.	<b>Employment and residence</b>  <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<p>Unless a more favourable agreement is reached regarding this, 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"> <li>foreign nationals with temporary residence permission due to family reunification with a Slovenian national;</li> <li>foreign nationals with permission for permanent residence;</li> <li>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.</li> </ul>
<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	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.
<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	<ul style="list-style-type: none"> <li>special category of highly qualified employees;</li> <li>posted employees;</li> <li>training;</li> <li>providers of individual services;</li> <li>representatives of private entrepreneurs or legal entities;</li> <li>seasonal employees (seasonal work in agriculture or forestry for longer than 90 days).</li> </ul>
<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	<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 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>
<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	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.	<b>Frontier workers</b> <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	<p>Unless a more favourable agreement is reached regarding this, as of 1 January 2021 the relevant Slovenian provisions regulating work of third-country nationals will apply to UK citizens. In this case, frontier workers will also be regarded as employees from a third country and will therefore require an appropriate permission to work in Slovenia.</p>
5.	<b>Permanent residence</b> <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	<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.	<b>Securing residence and work status</b> <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<p>Currently (in the absence of any specific contingency rules):</p> <ul style="list-style-type: none"> <li>• file an application for the registration of temporary residence as soon as possible (subject to further conditions and valid reasons);</li> <li>• file an application for the registration of permanent residence (if conditions for registration are met);</li> <li>• gather the documentation for family reunification with an EU or Slovenian national if relevant;</li> <li>• applying for Slovenian nationality if conditions are met.</li> </ul>
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[Back to top](#)

SWEDEN		
1.	<b>Guidance</b>  <b>1.1 Has any guidance been issued in relation to a 'no deal' Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?</b>	<p><b>Yes</b></p> <p>The Swedish Parliament has adopted a complementary regulation, effective from 11 November 2020, 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 <a href="#">link</a>.</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, <a href="http://www.migrationsverket.se">www.migrationsverket.se</a>.</p>
2.	<b>Business travel</b>  <b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p><b>No</b></p> <p>Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It will apply from the day the UK is no longer subject to EU law. When it takes effect, UK citizens will be able to enter and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption will apply 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>
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<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</p>



		<p>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>
	<b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<b>No</b>
<b>3.</b>	<b>Employment and residence</b> <b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b>	<b>Yes</b> , unless they can rely on an exemption such as: <ul style="list-style-type: none"> <li>• 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.</li> <li>• Family members of an EU national or a non-EU national who has authorisation to work (subject to conditions).</li> <li>• Holders of a permanent Swedish residence permit.</li> </ul>
	<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	<b>No</b>
	<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	Most likely the following: <ul style="list-style-type: none"> <li>• highly skilled employees (Bachelor's degree);</li> <li>• trainees (subject to conditions).</li> </ul>
	<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	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.

	<b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b>	Administrative fees of approximately SEK 2000.
<b>4.</b>	<b>Frontier workers</b>  <b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b>	<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 is open 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"> <li>• lives in another country, such as a housing contract or equivalent civic registration;</li> <li>• works or is a sole proprietor in Sweden, which is verified in the same way as in an application for residence status;</li> <li>• lived in another country and worked in Sweden at the end of the transition period.</li> </ul> <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>
<b>5.</b>	<b>Permanent residence</b>  <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	There are different grounds to obtain permanent residence but in general, five years of legal stay in Sweden (subject to conditions) are required.
<b>6.</b>	<b>Securing residence and work status</b>  <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<p>In order for UK national to be able to stay in Sweden even after the transition period, 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 begins 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 after the transition period, s/he must:</p> <ul style="list-style-type: none"> <li>• be a UK national, current family member of a UK national, or former family member of a UK national;</li> <li>• have been in Sweden in accordance with EU regulations before the end of the transition period (31 December 2020);</li> <li>• 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;</li> <li>• apply for residence status or permanent residence status before the end of the application period on 30 September 2021.</li> </ul>
	<b>Author</b>	Petter Wenehult, Knut Elmstedt, Elmszell Advokatbyrå

[Back to top](#)

## SWITZERLAND

1.

### Guidance

**1.1 Has any guidance been issued in relation to a 'no deal' Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?**

**Yes.**

Switzerland wishes to ensure that the existing mutual rights and obligations in its relationship with the UK will continue to apply as far as possible after the UK leaves the EU. The Federal Council (Swiss Government) adopted its 'Mind the Gap' strategy early on, in October 2016, and has since been in regular contact with the UK. The discussions between Switzerland and the UK have so far led to the signing of two agreements in the field of migration.

Firstly, on 19 December 2018, the Federal Council approved a bilateral agreement with the UK on the post-Brexit rights of Swiss citizens in the UK and vice versa. This Agreement on citizen's rights following the withdrawal of the United Kingdom from the European Union and the Free Movement of Persons Agreement was then signed on 25 February 2019 and is subject to ratification or approval in accordance with the parties' internal procedures. Pending its entry into force, the Agreement would apply provisionally as from either the date of a no-deal Brexit or the date on which a possible transitional arrangement agreed between EU and UK ceases to apply (in the case of a transitional arrangement, the bilateral agreements between Switzerland and the EU will continue to apply to Swiss-UK relations).

This bilateral agreement protects the rights of Swiss nationals in the UK and of UK nationals in Switzerland that were acquired under the Agreement on the Free Movement of Persons (AFMP), such as residence rights, social benefits and the mutual recognition of professional qualifications. This agreement on citizen's rights will however not apply to people who migrate after the AFMP has ceased to apply.

Secondly, for people wishing to migrate from Switzerland to the UK or vice versa after the AFMP has ceased to apply, on 10 July 2019, the Swiss Federal Council signed an Agreement on Admission to the Labour Market for a Temporary Transitional Period following the withdrawal of the United Kingdom from the European Union and the Free Movement of Persons Agreement. This agreement is subject to ratification or approval in accordance with the parties' internal procedures. Pending its entry into force, it would apply provisionally as from the date of a no-deal Brexit. This agreement on admission to the labour market will apply only under the scenario of a no-deal Brexit (it will not apply if the EU and UK agree on a transitional arrangement). It regulates easier access to the labour market for British citizens in

		<p>Switzerland and Swiss citizens in the United Kingdom for a limited period of time until 31 December 2020 (with the option of an extension). Individuals without gainful employment, those admitted under family reunification, cross-border service providers and students do not fall within the scope of the Swiss-UK transitional agreement.</p> <p>From a Swiss labour market perspective, UK nationals shall be admitted as employed persons in accordance with Swiss national law subject to the following derogations from the admission requirements contained in the Foreign Nationals and Integration Act (FNIA):</p> <ul style="list-style-type: none"> <li>• Priority requirements will not apply.</li> <li>• Personal requirements regarding professional qualifications (including skills requirements) will not apply.</li> <li>• The Swiss economic interest condition shall not apply.</li> </ul> <p>On the other hand, the salary and employment conditions on which UK nationals are employed in Switzerland must be in accordance with Swiss standards. The agreement also contains provisions on self-employed individuals and cross-border commuters.</p> <p>Furthermore, in accordance with the agreement, quotas to be set annually by the Federal Council will apply to UK nationals. In this respect, the Federal Council had already decided on 22 March 2019 to introduce a temporary and separate quota of 3,500 permits for UK nationals workers in the event of a no-deal Brexit in 2019. The 3,500 permits are divided between 2,100 residence permits (for stays of more than one year; B-permit) and 1,400 short-stay permits (for stays of up to one year; L-permit). This separate quota might be renewed for 2020 in the event of a no-deal Brexit.</p>
2.	<p><b>Business travel</b></p> <p><b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p>The situation from a Swiss perspective depends on the decisions taken by the EU authorities, with which Switzerland, being part of the Schengen Area, has to align itself.</p> <p>In this respect, and subject to the UK granting full visa reciprocity to the nationals of all EU Member States, Regulation (EU) 2019/592 of 10 April 2019 exempts UK citizens from the requirement for a Schengen visa. It will apply from the day the UK is no longer subject to EU law. When it takes effect, UK citizens will be able to enter</p>

		<p>and stay in the Schengen area for a maximum of 90 days in any rolling 180-day period.</p> <p>The Schengen exemption will apply:</p> <ul style="list-style-type: none"> <li>• from Brexit date in the event of no deal;</li> <li>• from 1 January 2021 if the Withdrawal Agreement ('WA') is ratified (under the WA, UK nationals keep their EU free movement rights until 31 December 2020).</li> </ul> <p>These future developments regarding Schengen mean that amendments have to be made to the Ordinance on Entry and the Granting of Visas (VGO), which will enter into force from the day on which the AFMP no longer applies to the UK. The Federal Council has approved this future Schengen development in advance so as to be able to respond flexibly to developments in relations between the EU and the UK.</p> <p>In addition, the Federal Council has also decided to exempt UK nationals from the requirement to obtain a visa to enter Switzerland for a lengthy stay. Amendments to the VGO in this respect have already been approved and will apply from the day on which the AFMP ceases to apply to the UK. In return, the UK has confirmed that Swiss nationals will also be exempt from the requirement to obtain a visa once the UK leaves the EU, both for short and longer stays in the UK.</p> <p>It is specified that even if they are allowed to enter and stay visa free, UK citizens willing to work in Switzerland would nonetheless and in principle need a work permit (see below).</p>
	<p><b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p>Travel documents (valid passport) that have been issued for less than ten years and that are valid for at least three months after departure from Switzerland.</p> <p>Proof of duration and purpose of stay as border control may ask additional questions concerning duration and purpose of stay.</p>
3.	<p><b>Employment and residence</b></p> <p><b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b></p>	<p><b>Yes.</b> It has to be specified that permission to work is needed not only for third-country nationals but also for EU nationals. The difference between EU and third-country nationals relates to the conditions to obtain permission to work (see below).</p>

	<p><b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b></p>	<p><b>Yes</b>, quotas apply for employing third-country nationals. As mentioned above, as a temporary measure, the Federal Council has decided to introduce a separate quota of 3,500 permits for workers from the UK in the event of a no-deal Brexit in 2019; this quota might be renewed for 2020 in the event of a no-deal Brexit.</p>
	<p><b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b></p>	<p>Some categories for third-country nationals permits include (all subject to conditions):</p> <ul style="list-style-type: none"> <li>• highly skilled employees, leading personnel, employees with special profiles;</li> <li>• transfer of senior executives and highly qualified employees within a transnational group;</li> <li>• trainees;</li> <li>• ancillary activities for individuals undergoing education at a Swiss university.</li> </ul>
	<p><b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b></p>	<p>The duration of the procedure may vary from one canton to another and according to the purpose of the stay, but it is generally counted in months (one to several months).</p> <p>Furthermore, pre-application steps might need to be factored in. Subject to exceptions, one of the (restrictive) conditions to be met for a permit application in favour of a third-country national is respect of precedence: third-country nationals may only be permitted to work if, among other conditions, it is proven that no suitable domestic employees or citizens of states with which the AFMP has been concluded can be found for the position. So, before applying for a permit for a third-country national, employers must have carried out serious research and be able to demonstrate that they have not found any Swiss or AFMP state candidate matching the profile.</p>
	<p><b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b></p>	<p>Government fees vary from one canton to another. They are in the region of a few hundred Swiss francs.</p>

<b>5.</b>	<b>Permanent residence</b>  <b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b>	<p>In principle: at least ten years of residence in Switzerland under a short-term or residence permit, the last five years of which have been uninterruptedly under a residence permit (subject to additional conditions: no grounds for revocation and integration of the foreigner). If good integration is demonstrated, a foreigner may obtain an establishment permit after an uninterrupted stay of five years under a residence permit.</p> <p>UK nationals may be granted an establishment permit after five years regular and uninterrupted stay in Switzerland.</p>
<b>6.</b>	<b>Securing residence and work status</b>  <b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b>	<p>Currently:</p> <ul style="list-style-type: none"> <li>• Applying for a residence permit in Switzerland while the Agreement on the Free Movement of Persons (AFMP) still applies to the UK (i.e. before the date of a no-deal Brexit or before the end of the transition period if such a transition period is put in place between EU and UK).</li> <li>• Applying for family reunification with an EU national if relevant.</li> </ul>
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[Back to top](#)



## UNITED KINGDOM

1.

### Guidance

**1.1 Has any guidance been issued in relation to a 'no deal' Brexit from 1 January 2021? If so, what information does it provide on how UK nationals can obtain settled residence status and permission to work and what proof of residence is needed for current residents?**

*Please note that the information in this survey does not apply to Irish nationals, who are considered to be settled in the UK.*

### Implementation period

An 'implementation period' is in effect from 23:00 on 31 January 2020 (GMT) until 23:00 on 31 December 2020 (GMT). During the implementation period, the UK will apply arrangements similar to the free movement of persons that existed prior to Brexit.

### EU Settlement Scheme

EEA/Swiss citizens must apply under the EU Settlement Scheme for settled or pre-settled status if they are resident in the UK by the end of the implementation period. This includes all workers who are resident in the UK by this date. Existing family members of workers may also apply if they are 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.

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.

For those already residing in the UK, an initial application must be made under the scheme by 30 June 2021.

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 exists 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.

### Frontier workers

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>Frontier workers must:</p> <ul style="list-style-type: none"> <li>• be working, i.e. employed or self-employed before 31 December 2020*;</li> <li>• 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;</li> <li>• 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.</li> </ul> <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). From 10 December 2020 frontier workers will be able 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> <p><b>Arrivals after the end of the implementation period</b></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) will 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>
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		<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>Applications for these immigration categories open from 1 December 2020. EEA nationals can apply from abroad from this date but will not be granted immigration permission starting earlier than 1 January 2020. EEA nationals will not be eligible to apply from within the UK until after the implementation period.</p>
2.	<b>Business travel</b>  <b>2.1 Will UK employees need a business visa from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<p>Arrangements similar to free movement of persons will continue to apply until 31 December 2020.</p> <p>From 1 January 2021, a visa will not be 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 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.</p>
	<b>2.2 What documents will be needed on arrival for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b>	<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 as soon as practicable during 2021, with notice.</p> <p>An invitation letter listing reasons for business travel may be helpful but is not mandatory.</p>

	<p><b>2.3 Will UK nationals need additional permission to work for business travel from 1 January 2021 in the event of a 'no deal' Brexit?</b></p>	<p>The business visitor visa 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 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 sports person.</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"> <li>• attend meetings, conferences, seminars, interviews;</li> <li>• 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;</li> <li>• negotiate and sign deals and contracts;</li> <li>• attend trade fairs, for promotional work only, provided the visitor is not directly selling;</li> <li>• carry out site visits and inspections;</li> <li>• gather information for their employment overseas;</li> <li>• be briefed on the requirements of a UK-based customer, provided any work for the customer is done outside of the UK;</li> <li>• 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.</li> </ul>
3.	<p><b>Employment and residence</b></p> <p><b>3.1 Will UK nationals need permission to work and stay in Austria from 1 January 2021?</b></p>	<p><b>Yes</b></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 before 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 before 31 December 2020 must apply for digital confirmation of their status by 30 June 2021.</p>
<b>3.2 If permission to work is needed after 1 January 2021, do any quotas apply to the employment of third-country nationals?</b>	<p><b>No</b></p> <p>The UK has suspended quotas for work permissions for the time being.</p>
<b>3.3 If permission to work is needed from 1 January 2021, what categories of permission are commonly granted?</b>	<p>The categories under the new immigration system are:</p> <ul style="list-style-type: none"> <li>• Skilled Worker</li> <li>• Intra-Company Transfer</li> <li>• T5 Temporary Work: Youth Mobility, Government Authorised Exchange, Sporting and Creative</li> <li>• Sole Representative</li> <li>• Global Talent</li> <li>• Start Up and Innovator (these are relevant though seldom able to be used)</li> </ul>
<b>3.4 If permission to work or stay is needed from 1 January 2021, how long does the procedure take?</b>	<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"> <li>• being issued with a certificate of sponsorship by the employer;</li> <li>• making a visa application;</li> <li>• being issued with a biometric residence permit.</li> </ul> <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><b>3.5 If permission to work and stay is needed from 1 January 2021, what Government fees are payable?</b></p>	<p>For Skilled Worker and Intra-Company Transfer visas, fees are:</p> <ul style="list-style-type: none"> <li>• Certificate of Sponsorship - GBP 199;</li> <li>• Immigration Skills Surcharge - GBP 1000 per year;</li> <li>• Immigration Health Surcharge - GBP 624 per year;</li> <li>• Application fee - GBP 610 for 3-year visa, or GBP 1220 for 5-year visa;</li> <li>• Priority and visa application centre fees vary.</li> </ul> <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 update their processing fees every year.</p>
<p><b>4.</b></p>	<p><b>Frontier workers</b></p> <p><b>4.1 What formalities will apply to UK frontier workers working in Austria but living in another country from 1 January 2021?</b></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"> <li>• be working, i.e. employed or self-employed before 31 December 2020*;</li> <li>• 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;</li> <li>• 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.</li> </ul> <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). From 10 December 2020 frontier workers will be able 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.	<p><b>Permanent residence</b></p> <p><b>5.1 From what date are third-country nationals entitled to apply for permanent residence?</b></p>	<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.	<p><b>Securing residence and work status</b></p> <p><b>6.1 What steps could UK nationals take currently to secure their residence and work status?</b></p>	<p>Currently EEA/Swiss nationals should consider:</p> <ul style="list-style-type: none"> <li>• 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).</li> <li>• Applying for British citizenship if eligible to do so (noting that their country of citizenship may not allow dual/multiple citizenship)</li> <li>• Entering the UK by 31 December 2020 to ensure eligibility under the EU Settlement Scheme.</li> <li>• Applying under the EU Settlement Scheme before 30 June 2021 if eligible to do so.</li> <li>• Understanding the absence requirements to obtain settled status under the EU Settlement Scheme and ensuring these are complied with (no more than six months outside the UK in any one year or at any one time).</li> <li>• 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.</li> <li>• Working in the UK before 31 December 2020 to qualify for frontier worker status.</li> <li>• Applying for frontier worker exemption status before 30 June 2021 (if they have been working in the UK before 31 December 2020).</li> </ul> <p>Family members should consider:</p>

		<ul style="list-style-type: none"> <li>• Applying for an EEA family permit (if currently outside the UK and intending to reside in the UK within six months of grant) or an EEA residence card (if already residing in the UK): this step should certainly be taken for durable partners and other family members who are not direct family members as they will not otherwise be eligible to apply under the current arrangements for the EU Settlement Scheme.</li> <li>• Applying for British citizenship if eligible to do so (noting that their country of citizenship may not allow dual/multiple citizenship).</li> <li>• Applying under the EU Settlement Scheme before the relevant deadlines if eligible to do so.</li> <li>• Understanding the absences requirements to obtain settled status under the EU Settlement Scheme and ensuring these are complied with.</li> <li>• 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.</li> </ul>
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[Back to top](#)