



European Temporary Leave to Remain in the UK – fact sheet

Leaving the EU with a deal remains the Government's top priority. This has not changed. However, a responsible government must plan for every eventuality, including a no deal scenario.

If the UK leaves the EU without a deal there will be a transition period, once free movement has ended and before the [UK's new skills-based immigration system](#) begins on 1 January 2021. This factsheet concerns arrangements for EEA (European Economic Area) citizens who come to the UK during the transition period.

The arrangements described here will also apply to citizens of Switzerland arriving after exit in a no deal scenario. All references to EEA citizens in this factsheet can therefore be taken as applying to Swiss citizens also.

EEA citizens who arrive before the UK leaves the EU will still be able to apply to the EU Settlement Scheme for their immigration status to remain in the UK.

Key facts

During a transition period following the UK leaving the EU without a deal, **EEA citizens will still be able to enter the UK as they do now for an initial stay of up to three months** and will be able to visit, work or study without applying for a visa.

If EEA citizens want to stay in the UK for more than three months, they will need to apply in the UK within this time for immigration permission called 'European Temporary Leave to Remain', which will be granted for a further 36 months, subject to identity, criminality and security checks.

- These arrangements do not apply to EEA citizens already in the UK when the UK leaves the EU, who instead will be able to apply to the [EU Settlement Scheme](#) in order to continue living and working in the UK as now.
- Employers already conduct Right to Work checks on EEA citizens and that will not change. They will not have to differentiate between those who are resident in the UK before exit and those who arrive afterwards, and instead will simply need to confirm that the individual is an EEA citizen.

- Until the new skills-based immigration system is introduced, EEA citizens will be able to evidence their right to work in the UK by using a passport or national identity card, as now.
- EEA citizens who arrive during the transition period, may be accompanied by close family members (their spouse, partner or dependent children under 18) from outside the EEA, who will require a family permit before coming to the UK. They may enter for up to three months and may then apply as a dependant of an EEA citizen to stay in the UK for up to three years.

About European Temporary leave to remain

What is European Temporary leave to remain?

- European Temporary Leave to Remain will allow EEA citizens arriving in the UK during the transition period to live, study and work here for a period longer than three months.
- **European Temporary Leave to Remain will only apply if the UK leaves the EU without a deal.**
- It will allow EEA citizens to stay in the UK temporarily for 36 months. It will not:
 - give an applicant indefinite leave to remain;
 - make them eligible for the EU Settlement Scheme;
 - make someone eligible to stay in the UK indefinitely.
- Irish citizens will not need to apply for European Temporary Leave to Remain, but their non Irish, non British dependants will.
- If EEA citizens want to stay in the UK for longer than three years, they will need to apply and qualify for an immigration status under the [UK's new skills-based immigration system](#), which begins on 1 January 2021.

Will EEA citizens need European Temporary leave to remain in order to visit for short-term business trips or holidays to the UK during the transition period?

- No. EEA citizens will not need to apply for an immigration status or visa to stay for less than three months during the transition period. They will enter and leave the UK just as they do now.

Eligibility

Who is eligible for European Temporary leave to remain?

- EEA citizens who travel to the UK during the transition period
- Non-EEA close family members of EEA citizens who accompany or join them in the UK during the transition period

Who is not eligible for this leave?

- Individuals who are a serious or persistent criminal, or a threat to national security

Who qualifies as a close family member?

- These are the spouse, partner or dependent children under 18 of an EEA citizen

What about EEA citizens who arrive after the UK leaves the EU but have recently lived and worked in the UK?

- If they were resident in the UK before the UK leaves the EU, they may be eligible for the [EU Settlement Scheme](#) instead. Usually this would require having been resident in the UK in the previous 12 months, however more detailed eligibility criteria will be communicated on GOV.UK in due course.

How will EEA citizens evidence their right to work or rent?

- Until the [UK's new skills-based immigration system](#) begins on 1 January 2021, EEA citizens will continue to be able to evidence their rights to work and to rent property by using a passport or national identity card to prove they are an EEA citizen. Non-EEA family members will use a biometric residence card.

What do EEA citizens arriving after the UK leaves the EU need to do?

- Arrangements at the UK border will not look any different, and they will not need a visa
- They will enter the UK using their national passport or identity card as now
- They will continue to use e-gates if they have a biometric passport, subject to parliamentary approval.

What do EEA citizens arriving in the transition period need to do if they are coming to the UK for a short visit:

- If they are planning to come to the UK for less than three months, they do not need to do anything. They can travel here as they do now.

What do EEA citizens arriving during the transition period need to do if they plan to stay for longer than three months?

- EEA citizens will need to apply for European Temporary Leave to Remain within three months of arriving in the UK, if they were not resident in the UK prior to the UK leaving the EU.
- They will need to fill in a short online application form using a computer, tablet or mobile phone.
- They will need to prove their identity and declare any criminal convictions. It will be a streamlined online process and further details will be announced soon.

When do they need to act by?

- They need to apply for European Temporary Leave to Remain within three months of their arrival in the UK.

What evidence will be provided to show that the leave has been granted?

- EEA citizens will be given a digital status, and non-EEA nationals will be given a biometric residence document.

Will EEA citizens who receive European Temporary leave to remain need to apply under the [new skills-based immigration system](#) on 1 January 2021?

- No. European Temporary Leave to Remain will continue to be valid for 36 months from the date of the initial application.

Once people have European Temporary leave to remain, when could they apply to remain in the UK for a longer period?

- This is temporary and not extendable leave. Anyone who wants to stay once this leave has expired will need to apply and qualify for an immigration status under the new skills-based immigration system, which will begin from 1 January 2021. Those who do not qualify, will need to leave the UK.

How does this affect the EU Settlement Scheme?

- EEA citizens who have arrived in the UK before the UK leaves the EU will still be able to apply to the EU Settlement Scheme to continue to live and work in the UK as now.
- If the UK leaves the EU without a deal, the EU Settlement Scheme will not be open to EEA citizens who arrive during the transition period, unless they are eligible as family members of EEA citizens already in the UK by this date.

For latest information [please check GOV.UK](https://www.gov.uk).

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