

**Client Alert
30 January 2020**

At midnight on 31 January 2020, the United Kingdom will leave the European Union. A transition period, guaranteeing the freedom of movement, will then begin.

Summary: The United Kingdom has validated the draft exit agreement from the European Union. The European Parliament, for its part, ratified the agreement yesterday.

The agreement specifies the main provisions relating to the right of residence, the right to work and social security coverage for British nationals and their family members in the countries of the European Union as well as European nationals and their family members in the territory of the United Kingdom.

A transition period until 31 December 2020: maintaining freedom of movement

European Union law continues to apply in the United Kingdom until 31 December 2020. During this transitional period, the principle of freedom of movement is maintained in the territory of the United Kingdom as in the countries of the European Union. British nationals can move, settle and work freely in the territory of member countries on the basis of their valid British passport. Also, third-country nationals employed in the United Kingdom can continue to benefit from the Van Der Elst case law, authorizing them to be posted to the territory of a member country. The agreement provides that the transition period may be renewed for a period of up to two years. The decision to extend this transition period should be taken before 1st of July 2020.

People affected by the agreement

Nationals of the United Kingdom who settled in one of the member states before the end of the transitional period. These people do not have to be present in the host country on 31 January 2020 but may arrive during the transition period.

Are also concerned the British citizens' family members who benefit from rights under European Union law.

Residence permit applications to be submitted within six months after the end of the transition period

The agreement provides that member states may not impose a period of less than six months after the end of the transitional period to request nationals concerned by the agreement to apply for a residence permit in order to remain in their host country. No formality is therefore required before 1st of January 2021 at the earliest. The agreement also guarantees the implementation of smooth, transparent and simple procedures for the British citizens' residence permit applications.

France has not yet determined the conditions for filing such residence permit applications.

For more information, please contact our Firm through your regular contact or: cabinet@karlwaheed.fr

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