

Client Alert

7 October 2020

On 31 December 2020 at midnight the Brexit transition period will end. The UK will become a third country to the European Union.

Summary: As the transition period approaches, British nationals residing in France are invited to prepare their application for a residence permit.

Key dates

On 1st February 2020, following the ratification of the Withdrawal Agreement, the United Kingdom's exit from the European Union took effect. This agreement provides for a transitional period of up to 31 December 2020, during which all EU rights of British citizens in France are maintained.

From October 2020, it will be possible to submit "Withdrawal Agreement" residence permit applications for British nationals already residing in France. The request can be made on the internet, following a dematerialized procedure. Initially scheduled for July 2020, the posting of this procedure was delayed until October due to the COVID-19 crisis.

On 31 December 2020, we will reach the end of the Brexit transition period. All British nationals already residing in France before this date are eligible to apply for a residence permit, in accordance with the provisions of the Brexit agreement signed between the United Kingdom and the European Union.

By 30 June 2021, all British nationals wishing to benefit from the provisions of the Brexit agreement to retain their rights to stay and work in France will have to hold a French residence permit.

Application for a residence permit for British citizens residing in France

The first step will be to submit an online application, at <https://contacts-demarches.interieur.gouv.fr>, in the "Brexit" section of the home page.

Applicants will need to upload a set of documents, including passport identity pages, proof establishing the date the applicant moved to France, such as a property certificate issued by a notary, a home insurance contract, a home insurance certificate or an employment contract, and documents relating to the specific situation of each applicant. For example, an employee will need to provide a copy of their most recent pay slip, while a student will need to provide proof of enrollment in a school or university.

After completing these steps, the applicant will receive an application confirmation by email, with a reference number confirming the filing.

Once the file has been processed, an email will be sent to the candidate to make an appointment at the prefecture to finalize the file (fingerprinting, photo and proof of payment of fees).

We do not yet have information on the exact way in which the applicant will receive the residence permit when it becomes available: whether by post to his home in France, or by going to the Prefecture a second time.

What type of permit will be issued?

Presence of less than 5 years

British nationals who have resided in France for less than 5 years from the end of the transitional period (31 December 2020) will have to apply for a residence permit, depending on their status (student, employee, temporary worker, posted worker, self-employed professional, unemployed person, family member, long-term visitor, etc.). They will be issued a residence permit in accordance with the Agreement bearing the specific category such as "Withdrawal agreement - employee".

Although the exact list of required documents is not yet available, applicants can prepare the following:

- passport or identity card
- proof of address in France
- 3 identity photographs
- Proof of resources: employment contract, payslips, bank statements ...
- proof of professional activity: work certificate signed by the employer, confirming the date of the start of employment in France
- Proof of the purpose of the stay in France over the past five years (employment contract, etc.)

British nationals who have resided in France for less than five years as of 31 December 2020 will also be able to apply for a resident card when they can prove that they have lived in France for five years. For example, a British national residing in France then on 31 December 2017 can apply for a resident card as of 31 December 2022.

Presence of 5 years or more

British nationals who have resided for 5 years or more in France on the date of the end of the transitional period (31 December 2020), will be eligible to obtain a resident card, valid for 10 years.

Although the exact list of required documents is not yet available, applicants can prepare the following:

- passport or identity card
- proof of address in France
- 3 identity photographs
- proof of presence in France over the past five years: 1 document per semester (rent receipts, energy bills, etc.)
- Proof of resources: employment contract, payslips, bank statements ...

For more information, you can contact our firm, your usual contact, or: cabinet@karlwaheed.fr

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