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Guidance

European Temporary Leave to Remain in the UK

Guidance for EU citizens coming to the UK to visit, study, work or join family if the UK leaves the EU with no Brexit deal.

Published 28 January 2019

From:

Home Office (<https://www.gov.uk/government/organisations/home-office>) and UK Visas and Immigration (<https://www.gov.uk/government/organisations/uk-visas-and-immigration>)

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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.

The arrangements described here will also apply to citizens of Switzerland arriving after exit in a no deal scenario.

After the UK leaves the EU, if there is no Brexit deal, EEA citizens will be able to enter the UK as they do now (for an interim period).

However, following the end of free movement and before the UK's new skills-based immigration system begins in 2021, you will need to apply for European Temporary Leave to Remain to stay longer than 3 months.

You do not need to apply for any immigration status or visa if you do not intend to stay in the UK for more than 3 months.

EEA citizens who arrive before the UK leaves the EU will still be able to apply for the EU Settlement Scheme.

Rights and status

European Temporary Leave to Remain will allow EEA citizens arriving in the UK after 29 March 2019 to live, work and study in the UK if there's no Brexit deal.

EEA citizens who are granted European Temporary Leave to Remain will be able to stay in the UK for 36 months from the date of their application. European Temporary Leave to Remain will be a temporary, non-extendable immigration status. It will not give indefinite leave to remain (ILR), lead to status under the EU Settlement Scheme or make EEA citizens eligible to stay in the UK indefinitely.

If EEA citizens want to stay in the UK for more than 36 months, they will need to apply for an immigration status under the new immigration system, which will come into effect from 1 January 2021. Those who do not qualify will need to leave the UK when their European Temporary Leave to Remain expires.

Who will need to apply?

You'll need to apply if you:

- are an EEA citizen and
- arrive in the UK after the UK leaves the EU and
- want to stay in the UK for more than 3 months

You'll not be eligible if you are a serious or persistent criminal or a threat to national security.

Irish citizens will not need to apply for European Temporary Leave to Remain. They'll continue to have the right to enter and live in the UK under Common Travel Area arrangements

(<https://www.gov.uk/government/publications/travelling-in-the-common-travel-area-if-theres-no-brexit-deal/travelling-within-the-common-travel-area-and-the-associated-rights-of-british-and-irish-citizens-if-there-is-no-brexit-deal#overview>).

Family members of EEA citizens

Non-EEA citizen close family members of EEA citizens living in the UK will need to apply for a family permit before accompanying or joining them in the UK.

How to apply for European Temporary Leave to Remain

You'll need to apply within 3 months of arriving in the UK.

The application will be online. You'll need to prove your identity and declare any criminal convictions during your application.

If you are living in the UK before the UK leaves the EU

If you're an EEA citizen who enters the UK before the UK leaves the EU, you're eligible to apply to the EU Settlement Scheme (<https://www.gov.uk/settled-status-eu-citizens-families>) to continue living in the UK. EEA citizens and their families will be able to remain in the UK indefinitely if they are granted settled status under the EU Settlement Scheme.

If you're an EEA citizen who arrives in the UK after 29 March 2019 but were previously living in the UK before 29 March 2019, you can also apply to the EU Settlement Scheme (<https://www.gov.uk/settled-status-eu-citizens-families>).

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Explore the topic

- Rights of EU and EEA citizens (<https://www.gov.uk/entering-staying-uk/rights-eu-eea-citizens>)
- Brexit (<https://www.gov.uk/government/brexit>)