



POLICY STATEMENT: EU CITIZENS ARRIVING IN THE UK DURING THE IMPLEMENTATION PERIOD

1. The UK and the EU are currently negotiating the terms of an implementation period to commence after our withdrawal from the EU. The purpose of such a period is to give people, businesses, and public services in the UK and across the EU the time they need to put in place the new arrangements that will be required to adjust to our future partnership.
2. As part of these negotiations, the EU has proposed that the provisions on citizens' rights in the Withdrawal Agreement should apply as of the end of the implementation period. Given the UK will leave the EU on 29 March 2019, and become a third country, we do not believe this is the right approach. The expectations of EU citizens arriving in the UK after our exit will not be the same as those who moved here before our withdrawal, and the same will be true of UK nationals moving to an EU Member State. It should therefore be for the UK and for Member States to determine the rights and pathways to settlement that new arrivals will have if they wish to remain beyond the implementation period.
3. On this basis, this policy statement sets out the arrangements that we propose should apply to EU citizens arriving in the UK during this period, including the terms on which EU citizens will be able to stay here after its conclusion.

Moving to the UK during the implementation period

4. EU citizens and their family members will be able to move to the UK during the implementation period on the same basis as they do today, which will be given effect through the Withdrawal Agreement. This means that there will be no new constraints on working or studying in the UK in the implementation period. This will also be the case for UK nationals moving to the EU during this period.
5. We will put in place a registration system for EU citizens and their family members who arrive in the UK during the implementation period and choose to stay for more than three months. This will help the Government to prepare for our future immigration framework by developing a better understanding of those coming to the country longer term. The registration system will be straightforward and streamlined, and compatible with EU Directive 2004/38/EC (Article 8).
6. These proposals are without prejudice to Common Travel Area arrangements, including the rights of British and Irish citizens in each other's country. Irish citizens will not be subject to the agreement and therefore will not need to register.

Remaining in the UK after the implementation period

7. In readiness for the end of the implementation period, the Government will be putting in place a new immigration framework. This framework will deliver on our commitment to strengthen control of our borders and address the public's concerns about the impacts of unrestricted immigration from the EU on jobs, wages and public services. However, leaving the EU does not mean the end of migration between the EU and the UK. The new framework will therefore be designed to support the UK economy, enable businesses and key public sector workforces such as the National Health Service to access the skills they need, and underpin our trading relationships with partners in Europe and around the world.
8. The Government is considering a range of options for what the future immigration framework should look like. We will make decisions on the basis of evidence, which is why we have commissioned the independent Migration Advisory Committee to report on EU migration this September. We will set out proposals for these future arrangements in due course.
9. In the meantime, it is important to provide certainty to business and to those EU citizens who wish to move to the UK during the implementation period as to the terms under which they will be able to remain in the UK and make a life here once the period is over.
10. The UK will therefore offer EU citizens and their family members who arrive, are resident and have registered, during the implementation period:
 - a. eligibility after the accumulation of five years' continuous and lawful residence to apply for indefinite leave to remain;
 - b. a temporary status in UK law that will enable them to stay after the implementation period has concluded - this means that they will be able to remain lawfully in the UK working, studying or being self-sufficient for the five years needed to obtain settlement;
 - c. an opportunity to secure this temporary status during the implementation period, with an additional three month window for applications after the period, ensuring that there is no cliff-edge;
 - d. the ability for these EU citizens to be joined by family members after the implementation period on a par with British citizens; and
 - e. for those EU citizens frontier working in the UK during the implementation period, the opportunity to obtain permission to continue this after the period ends.
11. These rights will be enforceable in the UK legal system. They will apply equally to all EU citizens who arrive during the implementation period, and the UK will not treat citizens of one Member State differently to those of another.

12. The application process for temporary status and indefinite leave to remain will be streamlined and user-friendly. It will be possible to apply at any point up to three months beyond the end of the implementation period.
13. The UK considers that its offer to EU citizens who arrive during the implementation period regarding their rights after that period ends is a pragmatic step towards implementing our future immigration system.
14. The arrangements that will apply to UK citizens who move to EU Member States during the implementation period will be for determination by Member States and we encourage Member States to mirror the UK's offer in their own arrangements.

Interactions with the future immigration framework

15. Were there to be a difference between the rights set out above, and those afforded to EU citizens who arrive after the implementation period under the future immigration framework, the more generous provisions will apply to this cohort.