

Living in France post-Brexit: what you need to know

The UK left the European Union at midnight Central European Time on 31 January 2020.

Under the Withdrawal Agreement (WA), an international treaty with direct effect, ratified in January by the UK and European Parliaments and by the European Council, UK nationals living in France (in this case) as of 31 December 2020 (a finite population!) are guaranteed to retain their right to live, work and establish businesses in France. The same applies for those living in other EU member states for as long as they remain resident in that country.

Health care rights under the S1 scheme and the aggregation of pension contributions earned in different EU member states remain in place for life, for the finite population mentioned above. Under the WA, the UK is committed to maintaining cost-of-living increases to UK state pensions paid to retirees who are resident in any EU27 country at 31 December 2020.

The inclusion of most (but by no means all) of our citizens' rights in the WA is due to a large extent to the painstaking advocacy and lobbying work carried out over the last three years by British in Europe, which since the referendum has attended over 150 high-level meetings in London, Brussels and other EU capitals, with the aim of safeguarding as many of our citizens' rights as possible post-Brexit.

The provisions of the WA and how they will affect you are explained in detail at britishineurope.org and francerights.org. Please also visit regularly the British Embassy's Living in France guide at <https://www.gov.uk/guidance/living-in-france> and the French Ministry of the Interior's Brexit guide at <https://brexit.gouv.fr/sites/brexit/accueil/vous-etes-britannique-en.html>.

In France, **all UK nationals and their family members** (assuming they do not also hold French nationality) **legally resident in France on 31 December 2020 will be required to apply for a new residence permit** under the Withdrawal Agreement.

They will have to apply **by 30 June 2021**. Those who already hold a *carte de séjour citoyen UE/EEE/Suisse - séjour permanent* will be able to exchange that card free of charge for the new WA residence permit.

The Ministry of the Interior has now closed the on-line residence permit application website for UK nationals which it opened last October, because that website was designed for the specific case of a no-deal exit by the UK from the EU, which as we know has not happened.

The Ministry has undertaken to update that website so that it can receive applications for the new WA residence permit. The updated applications website is expected to re-open in early July 2020. We advise you to apply as soon as possible after the site re-opens.

However, the Ministry stresses that **if you have already applied for a residence permit on the earlier no-deal Ministry website, you do not need to make another online application**. Your application is being stored and will be processed by your local *préfecture* before the deadline.

Please note that this exemption ONLY applies to people who have applied through the No-deal portal. People who have ongoing '**normal**' applications before their *préfecture* (*not* made through the 2019 No-deal portal) **will need to apply again** when the residence permit application website re-opens.

So until July 2020, you do not need to take any action regarding your future residence

permit, and there should be no need to make any changes to your present healthcare arrangements (including those under the S1 scheme). Keep an eye out for the relaunch of the residence permit application website, and use this time to make sure you are properly registered for healthcare (e.g. for S1 holders, register your S1 at your CPAM office).

If any French official appears not to be able to take account of the provisions of the WA, it may be useful to produce the French text of the WA which is available at [https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=CELEX:12019W/TXT\(02\)](https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=CELEX:12019W/TXT(02)).

Among the lost rights that British in Europe intends to continue to fight for, if it can secure sufficient funding, are:

- the right to vote in municipal and European elections
- the right to stand as a candidate in municipal and European elections
- the right to freedom of onward movement to other EU member states (essential, for example, for highly mobile professions such as IT and other consultants, and multi-country seasonal activities in the world of tourism)
- the right to cross-border provision of services (essential for many activities such as consultancy, translation, interpreting, etc)
- the recognition of professional qualifications after the end of the transition period
- family reunification rights for families with non-EU members wishing to return to the UK.