

EU/EEA/SWISS CITIZENS SETTLEMENT SCHEME



EU/EEA/SWISS Settlement Scheme

When the UK leaves the EU the rights of EU/EEA/Swiss citizens will change. The UK and the EU have agreed that your current rights will continue until 31 December 2020. If you want to stay in the Bailiwick of Guernsey beyond then, you need to apply under the new EU/EEA/Swiss Settlement scheme. This allows you and your family members to continue to live and work in the Bailiwick of Guernsey. It means you will continue to have ongoing rights to healthcare, work arrangements and access to benefits and public services as you do now. The Population Management Law which operates in Guernsey, and any domestic laws controlling employment and residence in place in Alderney and Sark will continue to apply as now. There may be different arrangements for those arriving after 29 March 2019. The Scheme will still be open regardless of whether the UK leaves the EU with or without a deal.



Pre-Settled status *(Limited Leave to Remain)*

If you have pre-settled status, also known as limited leave to remain, this means that you can stay in the Bailiwick of Guernsey for a period of five years. This will allow you to remain in the Bailiwick of Guernsey until you are eligible for settled status, generally once you have lived continuously in the Bailiwick of Guernsey for five years. EU/EEA/Swiss citizens who have pre-settled status will have the same access to work, healthcare, pensions and other benefits in the Bailiwick of Guernsey according to the same rules as now. Pre-settled status will run alongside any existing rights you have as an EU/EEA/Swiss citizen under the EU Free Movement Directive, until 31 December 2020.



Settled status *(Indefinite Leave to Remain)*

If you have settled status, also known as indefinite leave to remain, this means there is no time limit on how long you can stay in the Bailiwick of Guernsey. EU/EEA/Swiss citizens who have been granted settled status will have the same access to work, healthcare, pensions and other benefits in the Bailiwick of Guernsey according to the same rules as now.

- If you leave the Bailiwick of Guernsey, UK, Jersey or the Isle of Man, and return within five years, you can enter the Bailiwick of Guernsey and continue to live here.
- If you are absent from the Bailiwick of Guernsey, UK, Jersey or the Isle of Man for more than five consecutive years, your settled status will expire.
- If you have a child born in the Bailiwick of Guernsey and you are settled here, that child will be a British Citizen.

Settled status will run alongside any rights you have as an EU/EEA/Swiss citizen under the EU Free Movement Directive, until 31 December 2020.



Close Family Member

A close family member is a spouse, civil partner, unmarried partner, dependant child, dependant grandchild, dependant parent or dependant grandparent. A family member can come from anywhere in the world and does not need to be from the EU/EEA/Switzerland. British family members do not need to apply.



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Continuous Residence

You will need to have been continuously resident in the Bailiwick of Guernsey, UK, Jersey or the Isle of Man for five consecutive years (less in some circumstances) to be eligible to get settled status straightaway. If you have been continuously resident in the Bailiwick of Guernsey, UK, Jersey or the Isle of Man for less than five years you will be eligible for pre-settled status which allows you to stay in the Bailiwick of Guernsey, generally until you have reached the five years needed to be eligible for settled status. If your continuous residence has been broken, time spent in the Bailiwick of Guernsey, UK, Jersey or the Isle of Man before the time it was broken can not be counted.

Continuous residence generally means that over five consecutive years, you have not been outside the Bailiwick of Guernsey, UK, Jersey or the Isle of Man for more than six months in total, in any 12 month period. There is no restriction on the number of times you can be outside the Bailiwick of Guernsey, provided that the total period of time outside the Bailiwick of Guernsey is not more than six months, in any 12 month period.

There are some exceptions. You can have a single absence from the Bailiwick of Guernsey for no more than 12 months if it is for an important reason, such as pregnancy, childbirth, serious illness, study, vocational training or an overseas posting for work. Continuous residence is broken if you have been subject to a deportation order, exclusion order or exclusion decision. It can also be broken by periods of imprisonment. Any period outside the Bailiwick of Guernsey on compulsory military service is allowed.



Implementation period

The implementation period of the Settlement Scheme will run from the planned date the UK leave the EU on 29 March until 31 December 2020. This will enable the Bailiwick of Guernsey and the EU, businesses and public services to put in place the new arrangements required. The rights of EU/EEA/Swiss citizens will remain unchanged throughout the implementation period, provided that they were resident in the Bailiwick of Guernsey, UK, Jersey or the Isle of Man by 31 December 2020, in line with the draft Withdrawal Agreement.

The EU/EEA/SWISS Settlement Scheme will be fully open by **30 March 2019** and applications will be open until **30 June 2021**.

Further Information

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