

BRITISH EMBASSY STOCKHOLM

British Embassy Update 03/07/2020

FAQ: CITIZEN' RIGHTS AFTER the EU EXIT

1. How will my right to stay in Sweden as a British citizen change once the transition period ends on 31 December 2020?

Sweden is rolling out new legislation to ensure British citizens, who are legally in Sweden at the end of the transition period and therefore in scope of the Withdrawal Agreement, can continue their lives here as normal and in perpetuity.

2. Who is in scope of the withdrawal agreement?

You are in scope of the withdrawal agreement if you are in Sweden under EU law on 31 December 2020, when the transition period ends, and you continue to live here after that date. You are also in scope if you are a close family member of a UK citizen living in Sweden under EU law, or a frontier worker who is lawfully resident in an EU/EEA/EFTA state at the end of the transition period.

You do not have to prove that you are resident in Sweden in order to be covered by the Withdrawal

Agreement or apply for the new status, only that you are legally in Sweden as of midnight on 31 December.

3. What is the transition period?

The transition period began on 1 February 2020, when the UK officially left the EU, and lasts until 31 December 2020. After this point all EU rights for UK citizens will cease.

4. Who needs to apply?

You don't have to apply if you are a Swedish citizen or already have permanent residency (which you can register for after five years of continued residency). You do have to apply if you are here under EU Freedom of Movement law (uppehållsrätt).

If you are unsure of your status or the terms of your residency in Sweden then you should contact the Swedish authorities.

5. When can I apply?

You will not be able to apply before the law enters force, scheduled for 1 December 2020.

You will retain the rights you currently have in Sweden (to live, work and access healthcare) while your application is being processed.

6. When is the deadline?

Once the application process opens you will have a 10-month window. If the application process opens on 1 December 2020 as planned, it will run until 30 September 2021.

You will retain the rights you currently have in Sweden (to live, work and access healthcare) while your application is being processed, even if processing times extend beyond the 30 September deadline.

7. Where can I keep updated on when the application process starts?

You can keep up to date with the latest information on the Migrationsverket English website for EU exit. We will

also signpost you through our Living in Sweden guide – sign up here – and on our social media pages.

8. Will I be treated as a third country national when I apply?

No. If you lived here legally under EU law, you will be able to stay legally under the new law. It is designed to allow you to continue your life in Sweden as before, and will be a continuation of the terms under which you are already here.

You will be able to apply from within Sweden, and the rights you currently enjoy in Sweden (to live, work, and access healthcare) will continue while your application is being processed.

9. Will I be entitled to Swedish healthcare while my application is processed?

Yes. Anyone who is legally resident in Sweden, and in the population registry (folkbokförd) is entitled to Swedish health care. The responsible authority for health care in Sweden is Sveriges Kommuner och

Regioner. You should contact your regional health authority for information on services in your area.

10. Will my right to stay be affected if I lose my job?

Your right to stay if unemployed will not change from what it is now. UK citizens in Sweden have the same protections as EU citizens until 31 December 2020, and in perpetuity, as long as they legalise their residency. If you have worked in Sweden for less than one year but have been furloughed you are protected for up to six months while you seek new employment. If you have been furloughed after more than one year of employment, you are not bound by the six month time frame. However, certain conditions may apply, depending on your circumstances.

11. I have already applied under Swedish law. Can I have two applications in the system at the same time?

Yes. You should be aware that the new route for UK citizens will be free of cost and simpler than other types of applications.

12. Can I be legally resident in both Sweden and the UK?

No, you will have to choose one country.

13. Will frontier workers have to register in both countries?

You will be protected but you may have to register this status in both countries. Sweden will issue documents to residents of Sweden who work in other EU countries. It will also issue permits to frontier workers who work in Sweden but do not live here, as long as they are in scope of the Withdrawal Agreement.

Denmark will do the same.

14. Will British students be protected?

Yes. Students who are currently enrolled in a program, or will begin a program in the fall, will be entitled to the same fees and access to benefits as EU university students in Sweden. If you plan on staying in Sweden,

you will need to register (folkbokföra dig) as resident and apply for the new permit when it is available (scheduled for 1 December 2020). To declare residency as a student you need to provide documentation of your studies, sign an assurance you have sufficient funds to support yourself, and prove that you have health insurance (the EHIC will be valid for this purpose until 31 December 2020).

15. Will British citizens resident in Sweden pay international tuition fees if they study in the UK?

No. All British citizens will pay British tuition fees for the time being. However, after seven years from the end of the transition period (2028 by the current timeline), UK citizens resident outside the UK may have to begin paying foreign student fees.

16. Can I keep my UK driving licence?

If you are resident in Sweden, you will need to exchange your UK licence to a Swedish licence. After 31 December

2020 your UK licence will not be valid in Sweden, and you will not be able to exchange it for a Swedish licence.

17. How long does it take for an application to be processed?

You can check estimated processing times with the Swedish Migration Agency at:

https://www.migrationsverket.se/English/Contact-us/Time-to-a-decision.html?fbclid=IwAR1WOJcheV6XD467Oe_JEX_NBrAGZr6_jEjSkecO0aVq5XUIJqnwjl-0c1g

18. Will the transition period be extended beyond 31 December 2020?

No.

19. Will I need a stamp in my passport while my application is processed?

No, but you should carry some proof of your status when re-entering Sweden, e.g. a personbevis, residency card or receipt of application for the new status.

20. Can I be outside Sweden on 31 December?

Yes, as long as you can prove you are legally resident or in the process of legalising your residency by the end of transition period (on 31 December).

21. What are the rules for returning to the UK with an EU spouse?

If your relationship started before February 2020, your EU spouse will have until March 2022 to apply for the EU settlement scheme if you decide to return to the UK together.

22. What are the rules for returning to the UK with a non-EU spouse?

The UK is putting in place a new immigration system, to be introduced next year. Right now, there is a special

path for non-EU spouses who have residency in an EU country where they have lived with you, known as a Surinder Singh application.

23. What happens to my pension if I am not yet of pensionable age?

As long as you remain within scope of the Withdrawal Agreement, your pension will be uprated as it was before the UK left the EU. Even if you have not yet reached retirement age, you will still get the state pension benefits you have accrued by the time you do retire.

IF YOU NEED CONSULAR ASSISTANCE

24/7 support is available from the British Embassy by telephone.

Please call 0046 (0) 8-671 3000.

Please stay on the line and select the option for '*calling about an emergency involving a British national*' to speak to a member of staff.

VISITS TO THE EMBASSY

Due to coronavirus (COVID-19) and related restrictions, you must have an appointment to visit the Embassy.

If you have an appointment, you will need to reschedule if you have been in contact with someone with coronavirus, or are feeling unwell with a cough, difficulty breathing or fever.

For some of our services, you can book an appointment on our website:

<https://www.contact-embassy.service.gov.uk/?country=sweden&post=British%20Embassy%20Stockholm>