

The Brexit and Your Right of Residence

On 29 March 2017, the United Kingdom announced its decision to leave the European Union and will therefore no longer be part of the European Union as of 30 March 2019. This decision will have a significant impact not only on the European Union citizens currently residing in the United Kingdom, but also on British citizens residing in a European Union Member State. The purpose of the Withdrawal Agreement is to safeguard as much as possible the acquired rights of the British citizens and their family members already residing in Belgium.

The negotiations between the United Kingdom and the European Union on the conditions of withdrawal are still ongoing. A provisional draft of the Withdrawal Agreement was [published](#) by the European Commission in November 2018. Partial agreements have already been concluded on important topics. Nonetheless, it is important to point out that as long as the full agreement has not been reached, the Immigration Office cannot guarantee the rights and obligations of the citizens. **The following information is therefore provisional and may be modified as a result of the ongoing negotiations.** For this reason, the Immigration Office is not yet able to answer questions about individual files.

In the transition phase, from 30 March 2019 to 31 December 2020, British citizens will see virtually no change. Throughout this period, the British citizens will retain their right of free movement and residence, but must always be able to present their travel documents in case of border control.

British citizens and their family members who have exercised their right of free movement of people in Belgium before 1 January 2021 will need a new residence card. During the transition phase, these persons will be identified on the basis of the data from the National Register. They will be sent a personalised letter asking them to go to the municipal administration of their place of residence to obtain a new residence permit referring to the Brexit, in order to guarantee the rights granted to them by the Withdrawal Agreement. Their rights as employee or self-employed people will be linked to this residence permit. Everyone has to be enrolled by mid-2021.

If they meet certain conditions, family members who had not joined the beneficiary of the Withdrawal Agreement before 1 January 2021 can still do so under the old rules.

The Withdrawal Agreement will also allow two other groups to benefit from the old regime, namely British frontier workers residing in the European Union before 1 January 2021 and British nationals who had already planned medical treatment in the European Union before that date. British citizens who will not have exercised their right of free movement of people before 1 January 2021 or who cannot prove they used it, will be considered as third country nationals from that date onwards. The rights of entry and residence of these persons are part of the negotiations between the United Kingdom and the European Union starting on 30 March 2019.