



FAQS – IMPACT OF BREXIT AND RIGHT TO WORK IN THE UK

As a result of Brexit, EU nationals and their family members no longer have an automatic right to live and work in the UK from 1 January 2021. This means that Players need to take steps to ensure that they continue to have a right to live and work in the UK and can sign new contracts in the future.

Some EU nationals will be able to continue living and working in the UK under the EU Settlement Scheme. Others may require a specific Sportsperson visa in order to do so.

These FAQs set out details of the applications that EU nationals will be required to make under the EU Settlement Scheme in order to continue to living and working lawfully in the UK after 31 December 2020.

They also consider the FA's new Governing Body Endorsement criteria applicable to all non-UK players coming into the UK post-Brexit, who require a Sportsperson visa (i.e., those who are not able to obtain status under the EU Settlement Scheme).



EU SETTLEMENT SCHEME

I am an EU national and was living in the UK prior to 31 December 2020. Should I be concerned about the impact of Brexit on my right to remain in the UK?

No. EU nationals and their family members who were resident in the UK before the 31 December 2020 should be protected. The EU Settlement Scheme has been implemented to secure your residence rights. You must apply to this Scheme to remain protected.

WHAT ARE THE KEY POINTS ABOUT THE SETTLEMENT SCHEME?

EU nationals and their family members who are residing in the UK by 31 December 2020 will need to make an application under the Settlement Scheme (<https://www.gov.uk/settled-status-eu-citizens-families/applying-for-settled-status>) in order to continue to reside lawfully in the UK. The key points to be aware of are:

- EU nationals and their family members (spouse, civil partner, durable partner, dependent child or grandchild, and dependent parent or grandparent) who have been continuously resident in the UK for five years will be eligible for settled status, enabling them to stay indefinitely.

- EU nationals and their family members who have not been continuously resident for five years will be eligible for pre-settled status, enabling them to remain in the UK until they reach the five year threshold. They can then apply for settled status where they have remained continuously resident in the UK for a five year period.

IS THERE A DEADLINE BY WHICH APPLICATIONS MUST BE LODGED UNDER THE SETTLEMENT SCHEME?

Yes. EU nationals and their family members will have until 30 June 2021 to apply to the Settlement Scheme.

WHO IS REQUIRED TO APPLY UNDER THE SETTLEMENT SCHEME?

All EU nationals need to apply in order to continue to reside lawfully in the UK, subject to limited exceptions:

- Irish nationals are not required to apply, but can do so if they wish.
- EU nationals who have indefinite leave to remain (ILR) or indefinite leave to enter (ILE) (which is not the same as permanent residence) are not required to apply, but can do so if they wish. It is generally regarded as sensible to do so due to the more favourable rights that apply under the Settlement Scheme.

EU national family members of British nationals also need to apply under the Settlement Scheme – ie, there is no exemption by virtue of being, for example, the spouse or partner of a British national.

WHAT ARE THE RULES FOR CONTINUOUS RESIDENCE IN ORDER TO QUALIFY FOR SETTLED STATUS?

A person must have been continuously resident in the UK for five years in order to be eligible to apply for settled status. In general, a person will have been continuously resident if they have not been absent from the UK for more than six months in total in any 12-month period. There is no restriction on the number of absences permitted, provided that the total period of absence does not exceed six months in any 12-month period.

WHAT RIGHTS DO EU NATIONALS WITH SETTLED STATUS HAVE?

Settled status will enable EU nationals to reside in the UK in any capacity and undertake any lawful activity. They will continue to have access to UK benefits (eg, healthcare, benefits, pension and social security) in a similar manner to British nationals.

HOW LONG DOES IT TAKE FOR SETTLEMENT SCHEME APPLICATIONS TO BE PROCESSED?

Most applications are processed within two or three working days. In some cases it can take slightly longer.

CAN SETTLED STATUS BE LOST?

Yes. Settled status will be lost if a person spends more the five continuous years outside the UK. But it should be possible to 're-set' the clock for the five years by returning to the UK for a short period of time. Pre-settled status will be lost if a person spends more than two continuous years outside the UK. But the important point for a person holding pre-settled status is to ensure that they accrue the necessary continuous time in the UK (ie, five continuous years) in order to qualify for settled status.

WILL IT BE A PROBLEM IF I WAS AWAY FROM THE UK TRAVELLING OVER EXIT DATE ON 31 DECEMBER 2020 / 1 JANUARY 2021?

No. EU nationals who are resident in the UK but who are abroad on business or holiday or living overseas temporarily over the exit date will still be protected. EU nationals resident in the UK before 31 December 2020 will not need a visa or proof that they have already applied under the Settlement Scheme in order to re-enter the UK in the period up to 30 June 2021.

WILL EU NATIONALS LIVING IN THE UK AND COVERED BY THE SETTLEMENT SCHEME BE ABLE TO HAVE FAMILY MEMBERS JOIN THEM ON A LONG-TERM BASIS IN THE UK AT A LATER DATE?

Yes. Under the terms of the Withdrawal Agreement, EU nationals who are resident in the UK before 31 December 2020 will have a lifetime right for family members who were family members on 31 December 2020 to join them in the UK.