

## BREXIT AND RIGHT TO STAY FREQUENTLY ASKED QUESTIONS

### **Is it necessary for all UK nationals to obtain a residence permit after BREXIT?**

Yes. British nationals will be required to hold a residence permit in order to reside in France. This document will be mandatory from 1 October 2021.

### **How do I apply for my residence permit?**

British nationals and their family members benefiting from the agreement, i.e. residing or coming to settle in France before 31 December 2020 or joining a family member after that date, will have to apply for a residence permit online on this site.

You must log on <https://contacts-demarches.interieur.gouv.fr> and then click on the icon. « BREXIT ».

You must apply online before 1 July 2021.

### **Do I have to necessarily apply online? Otherwise, can I go to the prefecture submit a paper file?**

It is imperative that you apply online.

Paper files will not be accepted by the prefectures.

If you are unable to connect to the Internet or if you need help with the online data entry, a reception desk will be set up in the prefectures to help you with your procedures.

### **I currently hold a valid residence permit. Do I still have to apply? Is it necessary to “change” my residence permit?**

Yes. Even if you hold a valid residence permit, you must complete a new application.

Indeed, residence permits acquired as EU nationals will no longer be valid from 1 October 2021.

### **My residence permit has expired. Do I have to apply?**

Yes. When applying online, indicate that you have obtained a residence permit.

### **I recently applied for a residence permit at the Prefecture but I have not yet received my document. Do I have to re-apply within the framework of BREXIT?**

Yes. You must re-apply online.

### **I have applied online but I have not received the e-mail confirming that I have submitted my application. What should I do?**

It is normal not to receive the e-mail immediately. In fact, there is a delay of a few minutes between the validation of your application and the reception of the e-mail confirming that you have submitted your application.

Remember also to check if you have not received the e-mail in your SPAM folder.

If the problem persists, please send an e-mail to [contact-demandedeligne-brexit-dgef@interieur.gouv.fr](mailto:contact-demandedeligne-brexit-dgef@interieur.gouv.fr)

**Should the prefecture give me a receipt?**

No. The prefecture will not provide you with a receipt. You must keep your application confirmation that you will receive by e-mail after completing your online application.

This document will allow you to justify your application.

Third country nationals related to a UK national and currently holding a valid residence permit are invited to indicate in their online application in the "Comments" section whether their permit is due to expire soon.

**I applied online for a residence permit within the no-deal Brexit period (between 9 October 2019 and 31 January 2020): do I have to re-apply?**

No. Your application has been registered and will be processed by the prefecture in due time.

**I applied online for a residence permit within the no-deal Brexit period (between 9 October 2019 and 31 January 2020) and I have moved since: should I apply again?**

Yes, in this case you must re-apply online on the website with your new address.

**Within which timeframe will the prefectures process the residence applications?**

The prefectures will begin processing applications in October 2020 so that all residence permits can be issued before the obligation to hold a permit can be invoked against British nationals (i.e. before 1 October 2021).

**What should I do if I don't have access to the Internet or if I have problems using the site to apply?**

A reception desk will be available in the prefectures, which will allow you to log on the site for your application.

Several associations are also mobilised to provide assistance to users in difficulty.

**How can I prove the date of my first settling in France?**

Several documents can allow you to prove the date of your first settling in France.

For example, you can submit:

- Your previous residence permit.
- Your tax certificate.
- Your employment contract.
- Your lease or ownership title ...

It is not necessary to provide residence proof for each year you stayed in France. You are only required to prove the date of your first settlement.

**If my stay in France for several years has not been continuous (for example, if I have returned to the UK for a year) will this prevent me from obtaining a 10-year residence permit?**

No. You should prove the date of the first settlement in France. If the stay has been interrupted one or several times, this does not affect the calculation of the duration of the stay in France unless this interruption lasted more than two consecutive years.

**Do I have to apply for a residence permit for my child who lives in France?**

Minor children (between 0 and 18 years old) are not required to hold a residence permit. A national identity document (passport) is sufficient. It is not necessary to apply for a residence permit.

With regard to young adults (18 years of age), the application for a residence permit must be submitted in their 18th year and no later than their 19th birthday.

Therefore, UK young nationals who will reach the age of 18 years before 1 October 2021 are advised to apply online for the residence permit.

**How to declare young adults dependent on their parents?**

Young adults who are dependent on their parents must apply online.

Young adults aged 18 to 21 who are still dependent on their parents must indicate at the time of their online application that they are a family member of a UK national.

**What about children of British nationals residing in France who study abroad?**

Studying abroad is not an obstacle to obtaining a residence permit as long as their usual residence is maintained in France.

This residence permit must be requested online on this site.

When submitting the application, they must indicate to be in any of the following, depending on their situation:

- if, at the time of their application for a permit, they can justify a period of residence in France of at least 5 years (which may include time spent attending school outside France), they must go to the section "*I have lived in France for more than 5 years*", which will enable them to obtain a permanent residence permit.
- Otherwise, they should go to the section "*I have lived in France for less than 5 years*", then to the section "*I have a family link with a British national*" (and not to "*I am a student in France*", which is unsuitable because of the location of study). They will be issued with a five-year residence permit as a family member of a British national.

As regards the section on proof of residence in 2020, these children of British nationals must indicate their family's place of residence (or that of a third party if applicable), unless they have a personal domicile in France.

### **I am a British spouse, partner or cohabitee of a French national: what should I do?**

Like all British nationals, you must apply online.

If you have been living in France for more than 5 years, you automatically benefit from the most favourable residence right (10 years) without having to state your status as spouse of a French citizen.

You must therefore indicate "I am British" and then "I have lived in France for more than 5 years" in your online application and provide the required documents in support of your submission.

Your status as spouse of a French national is only useful if you have been living in France for less than 5 years and cannot therefore apply directly for a ten-year residence permit.

Provided that you meet all the required conditions, your status as spouse, partner or cohabitee of a French national will allow you to obtain a ten-year residence permit even if you have been living in France for less than 5 years.

Accordingly, you must indicate "I am British" then "I have been living in France for less than 5 years" then "I am the spouse, partner or cohabitee of a French national" and provide the required documents in support of your application.

### **How much does the residence permit cost?**

The residence permits issued under the "United Kingdom Withdrawal Agreement" are free. You do not have to pay any taxes.

### **I have applied for French nationality: do I still need to apply for a residence permit?**

Yes. As long as you have not acquired French nationality and your naturalisation application is still pending, you must apply for a residence permit.

### **I have a dual nationality because I am British and a national of another EU Member State (e.g., I am English and Irish or I am English and Spanish...): do I have to apply for a residence permit?**

If you hold the citizenship of an EU Member State, you maintain your EU national status. As such, you are not required to hold a residence permit.

You can still submit an "EU national" residence permit application at the prefecture or, as a British national, apply online on this site for a "withdrawal agreement" residence permit.

Whatever your choice, it remains reversible.

### **Does the residence permits issued in France allow mobility in the other countries of the European Union?**

In addition to settling in France, the residence permits issued in France will allow you to travel in the other States belonging to the Schengen area for periods not exceeding three months.

**Can third-country nationals related to a British national obtain a residence permit under the Withdrawal Agreement?**

Third-country nationals related to a British national residing in France before 31 December 2020 will benefit from a residence permit due to the existence of a family tie, provided they meet the required conditions. Like British nationals, they must also apply for a residence permit online.