

Implementing the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community:

***RESIDENCE RIGHTS AND RESIDENCE DOCUMENTS IN THE REPUBLIC OF CYPRUS***





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## Summary

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*This document aims to assist all interested parties in comprehending how Cyprus intends to practically implement the provisions of the Withdrawal Agreement concerning residence rights of United Kingdom (UK) nationals and their family members, including family members who are third country nationals, in view of the UK leaving the European Union (EU). However, all parties are reminded that the text of the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community is the only authentic legal reference and that the information in this document does not constitute legal advice. Usage of the information remains under the sole responsibility of the reader.*



This paper sets out how Cyprus intends to practically implement the provisions of the Withdrawal Agreement concerning residence rights of United Kingdom (UK) nationals and their family members, including family members who are third country nationals, in view of the UK leaving the European Union.

In line with the revised [Withdrawal Agreement](#) published Officially on 31 January 2020, its implementation will mean that:

- UK nationals and their family members who, by 31 December 2020, have been continuously resident in Cyprus for five years will be eligible for permanent residence.
- UK nationals and their family members who already reside in Cyprus or arrive by 31 December 2020, but will not yet have been continuously resident in Cyprus for five years, will be eligible for residence, enabling them to stay until they have reached the five-year threshold, allowing them to apply for permanent residence.
- UK nationals and their family members, who are covered by the Withdrawal Agreement, will be able to continue their lives in Cyprus, with the same access to work, study, benefits and public services that they enjoy now, subject to the specific provisions provided for in the Withdrawal Agreement.

## Key issues:

**Withdrawal Agreement:** The EU has reached an agreement with the UK on citizens' rights, ahead of the UK leaving the EU on 31 January 2020. This Agreement is legally binding as of 1.2.2020 in all Member States.

**Whom it covers:** The Withdrawal Agreement will protect those UK nationals and their family members who have already exercised or will exercise their free movement rights in Cyprus before 1 January 2021 (before the end of the transitional period).

**Transition period:** It is the period immediately after the UK leaves the EU, which started on 1 February 2020 and lasts until 31 December 2020. During this period free movement of UK nationals and their family members will continue.



## How it works for UK nationals:

- a. UK nationals and their family members including family members who are non-UK nationals, who have already exercised or will exercise free movement in Cyprus before 1 January 2021 but, until 31 December 2020 will not have completed continuous residence of five years, will be eligible for a temporary residence,
- b. Those who will have completed five years of continuous residence in Cyprus before 31 December 2020, will be eligible to acquire permanent residence,
- c. Those who will not have completed five years of continuous residence in Cyprus, will be able to remain in Cyprus to build-up five years continuous residence. Commencement of this five-year period for both cases starts at the moment of exercising free movement rights, which may be at any time before and during the transitional period.
- d. UK citizens who want to visit Cyprus after the 31 December 2020, end of the transitional period and whose rights do not fall within the scope of the Withdrawal Agreement, will need to meet Cyprus immigration rules.

## How it works for UK nationals' family members:

- a. Existing family members of UK nationals covered by the Withdrawal Agreement, who are living in a country other than Cyprus on 31 December 2020 (end of the transition period), will be able to reunite in Cyprus with the UK national as a family member at any time in the future. They will then be eligible to qualify for permanent residence, after completing five years of continuous residence.
- b. Children born or adopted after the transition period by UK nationals or their spouse/civil union partner, who are within the scope of the Withdrawal Agreement, will enjoy the same rights as pre-existing family members.
- c. Future spouses and partners of UK citizens who are not covered by the Withdrawal Agreement and wish to come to Cyprus after the 31 December 2020 (end of the transition period), will need to meet Cyprus immigration rules.

## Residence documents:

Holders of current Residence Documents issued under the Directive 2004/38/EC (MEU1, MEU2, MEU3 ) will be able to continue to use them as means of proof for residence rights in Cyprus. Applications received up until the end of the transition period will be examined on the basis of the current free movement rules, and, if approved, will result in the issuance of the current residence documents.

In reference to Article 18(4) of the Withdrawal Agreement, Cyprus has decided that UK nationals and their family members will not be obligated to replace their pre-existing residence documents (MEU1, MEU2, MEU3 ) in order to obtain the new residence document which will be issued as of 1.1.2021.



After the end of the transitional period, eligible persons whose residency rights are covered by the Withdrawal Agreement, who have not applied for residence documents by the end of the transition period, will continue to have the right to apply for residence documents, provided they can submit documentary evidence of their residency prior to the end of the transitional period.

Residence documents issued to eligible persons after the end of the transition period will include a statement that the document has been issued in accordance with the Withdrawal Agreement.

## Key dates:

UK leaving the EU:  
**31 January 2020**

Transition period:  
**1 February 2020– 31 December 2020**

## 1. The Withdrawal Agreement

The EU has reached [an Agreement](#) with the UK on citizens' rights, ahead of the UK leaving the EU on 31 January 2020. This Agreement is legally binding in all Member States from 1 February 2020.

Under the Agreement, UK nationals who are eligible for residence rights along with their family members (including family members that are third country nationals), will be able to stay and continue their lives in Cyprus.

### 1.1. Transition Period

The Agreement covers the period immediately after the UK leaves the EU, known as the transitional period. This period is enforceable from 1 February 2020 to 31 December 2020.

The Agreement extends the current free movement rights to UK nationals and their family members arriving in Cyprus during the transitional period.

### 1.2. Who is covered by the Withdrawal Agreement?

The Withdrawal Agreement applies to:

- a. UK nationals and their family members who have already exercised or will exercise their right to reside in Cyprus in accordance with Union law, before the end of the transition period and continue to reside in Cyprus thereafter.
- b. UK nationals and their family members who, at the end of the transitional period, will not be residing in Cyprus but had previously resided in Cyprus, without having acquired permanent



residency status, provided that after the end of the transitional period they will maintain continuity of residence as defined in current free movement rules.

- c. UK nationals and their family members who at the end of the transitional period will not be residing in Cyprus, but had previously resided in Cyprus and had acquired the right of permanent residence, provided that their absence will not have exceeded a period exceeding five consecutive years.
- d. Family members residing overseas on 31 December 2020, wishing to join a UK national covered by the Withdrawal Agreement after this date, given that the relationship existed at or before that date and will continue to exist when the person wishes to come to reside in Cyprus.

#### **Family members of a UK national include<sup>1</sup>:**

- A spouse,
- A civil partner,
- Direct descendants who are under the age of 21 or are dependents (including of those of the spouse or civil partner).
- Dependent direct relatives in the ascending line (including of those of the spouse or civil partner).
- Children born or adopted after the transitional period by a UK national or their spouse/ partner covered by the Withdrawal Agreement.

#### **1.3 Examples:**

- a. A UK national and her family are continuously residing in Cyprus from 2009, but happen to be abroad for holiday on 31 December 2020. They all enjoy residence rights provided by the Withdrawal Agreement.
- b. A UK national covered by the Withdrawal Agreement marries an Indian national in March 2021. The spouse wishes to join the UK national to reside in Cyprus. The spouse will need to meet Cyprus' immigration rules.
- c. A UK national covered by the Agreement marries a USA national in April 2020. The spouse wishes to join the UK national to reside in Cyprus. The spouse will enjoy residence rights provided by the Withdrawal Agreement.
- d. A UK national not covered by the Withdrawal Agreement marries a Chinese national on August 2022. Both wish to reside in Cyprus. Both will need to meet Cyprus' immigration rules.

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<sup>1</sup>More details on the family members who are covered can be found in the Withdrawal Agreement (articles 9 and 10).



- e. In February 2023, a UK national covered by the Agreement wishes to be joined in Cyprus by his 8-year-old daughter. The daughter will enjoy residence rights as provided by the Withdrawal Agreement.
- f. In October 2024, a UK national covered by the Withdrawal Agreement adopts a 16-year-old boy. In November 2024 the UK national wishes to be joined by his son. The son will enjoy residence rights provided by the Agreement.
- g. A UK national who was living in Cyprus from January 2020 departed from Cyprus in November 2020, in order to participate in a student exchange programme abroad. He stayed abroad until March 2021. He wishes to return and reside in Cyprus. He enjoys residence rights provided by the Withdrawal Agreement.
- h. A UK national was living in Cyprus from June 2010 until September 2017 and acquired permanent residence documents. She then departed from Cyprus and stayed abroad until 2024 when she decided to return. She does not enjoy residence rights as provided by the Withdrawal Agreement. She will need to meet Cyprus' immigration rules.

## How it Works?

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### 2.1 Before the end of the transition period (today - 31 December 2020)

#### 1.1.1 Residence Documents

Current free movement rules apply. Upon application, provided that the free movement requirements are met, one of the following current documents are issued:

- **Certificate of Registration (MEU1)**  
Document certifying residence for European Union citizens and for their family members who are also European Union citizens.
- **Residence Card (MEU2)**  
Document certifying residence for family members of a European Union citizen who are not nationals of a Member State of the European Union.
- **Certificate of Permanent Residence (MEU3)**  
Document certifying permanent residence for European Union citizens and for their family members who are also European Union citizens.
- **Card of Permanent Residence (MEU3)**



Document certifying permanent residence for family members of a European Union citizen who are not nationals of a Member State of the European Union.

## UK nationals and their family members:

- i. **Who reside in Cyprus and are holders of the current residence document:** Current free movement rules apply.
- ii. **Who reside in Cyprus and are NOT holders of a residence document:** Current free movement rules apply. Upon application during the transition period, one of the current residence documents (Certificate of Registration, Residence Card or Certificate/Card of Permanent Residence) will be issued, provided that the free movement requirements are met.

**PLEASE NOTE:** After the transition period, UK nationals and their family members who are covered by the Withdrawal Agreement, will have the right to receive if they choose so, in accordance with the conditions set out in the Directive 2004/38/EC, a new Residence document, which will include a statement that has been issued in accordance with the Withdrawal Agreement. Holders of current residence documents (which will continue to be issued up until the end of the transitional period) will fall under a much simpler procedure, should they choose to apply for new residence document provided by the Withdrawal Agreement (which will be issued after the end of the transition period as of 1.1.2021 – for more information see section 2.2).

**ATTENTION:** Non-holders of current residence documents are therefore encouraged to apply for them until the end of the transitional period.

### Examples:

- a. A UK national and his Israeli wife are continuously resident in Cyprus since 2017. They have never applied for residence documents. In April 2020 they decide to apply. They fulfill free movement rules. The UK national will receive a Registration Certificate and his wife a Residence Card under EU Law.
- b. A UK national and her Chinese partner arrive in Cyprus in February 2020. They file applications for residence documents. They fulfill free movement rules. The UK national will receive a Registration Certificate and her partner a Residence Card under EU Law.
- c. A UK national and her Pakistani son reside in Cyprus since 2016 and are holders of a Registration Certificate and a Residence Card, respectively. During the transitional period, residence permits are valid and will continue to be valid up to voluntary replacement. They enjoy free movement rights and they are already holders of documents evidencing this.
- d. A UK national is continuously residing in Cyprus since 2009. Although she fulfills free movement rules, she has never applied for a residence document. Even after the transitional period she will maintain her right of residence in Cyprus as long as she is covered by the Withdrawal Agreement, she maintains her residence rights. Nevertheless, should she wish to apply for a new residence



document after the end of the transitional period, she will need to submit documentary evidence in order to establish that she has been continuously resident in Cyprus. If she had acquired a residence document before the end of the transition period showing only her passport (as proof of identity) and her Certificate of Permanent Residence would be enough. In case she chooses not to apply for residence documents even after the end of the transitional period, it is likely that she will face practical issues in exercising her rights.

## 1.1.2 Requirements

Requirements for the issuance of current residence documents to UK nationals and their family members remain unchanged. Applications are and will continue to be examined in accordance with the conditions set out in the [Directive 2004/38/EC](#).

You can find out information on existing requirements on [this webpage](#).

## 1.1.3 Application procedure

The application procedure for the issuance of current residence documents to UK nationals and their family members remains unchanged during the transitional period. Applications are and will continue to be submitted to the [Civil Registry and Migration Department](#) in Nicosia and to the [District Units of the Aliens and Immigration Service of the Police](#).

You can find out information on existing procedures on [this webpage](#).

## 2.2 After the end of the transition period as of 1 January 2021

### 2.2.1 Residence Documents

To make the process as simple as possible, Cyprus [has chosen not to obligate UK nationals and their family members residing in its territory in accordance with the conditions set out in the Withdrawal Agreement, article 18\(4\), to apply for a new residence status as a means of verifying that they are entitled to the residence rights set out in the Withdrawal Agreement.](#)

However, after the end of the transition period:

- holders of current residence documents (MEU1, MEU2, MEU3),
- persons who will receive a current residence document (MEU1, MEU2, MEU3) within the transitional period,
- non-holders of current residence documents, who reside in Cyprus before the end of the transition period and are covered by the Withdrawal Agreement, and



- persons covered by the Withdrawal Agreement arriving and residing in Cyprus after the end of the transitional period,

**will have the right** to receive, in accordance with the conditions set out in the [Directive 2004/38/EC](#), a Residence Document or a Permanent Residence Document, which will include a statement that it has been issued in accordance with the Withdrawal Agreement and the article 18(4) of the Agreement .

### **Residence documents to be issued to UK nationals and family members as of 1.1.2021:**

- Residence Document (MUKW1) for UK nationals and family members who are also UK nationals -valid for five (5) years
- Residence Document (MUKW2) for non-UK nationals' family members - valid for five (5) years.
- Permanent Residence Document (MUKW3) for UK nationals and family members also UK nationals or for family members who are non-UK nationals - valid for ten (10) years.

## **2.2.2 Requirements**

Applications will be examined in accordance with the conditions set out in the [Directive 2004/38/EC](#) and the article 18(4) of the Withdrawal Agreement, which are generally in line with current free movement rules.

UK nationals and family members, will need to file an application , considering that they should not be regarded as a threat to public order, public security or public health (for more information you can refer to the [Withdrawal Agreement](#) article 20).

The main requirement for the Residence Document or the Permanent Residence Document (MUKW1, MUKW2, MUKW3) to be granted will be residence in Cyprus before the end of the transitional period. Specifically:

- Where a UK national and their family member have been continuously resident in Cyprus for five years (less in some particular circumstances: see section 2.2.3), they will be eligible for Permanent Residence. Once acquired, the right of permanent residence shall be lost only through absence from Cyprus for a period exceeding five consecutive years.
- Where a UK national and their family member including a non-UK national, who have been continuously resident in Cyprus for less than five years, they will be eligible for temporary Residence. These people will be eligible to apply for the permanent residence, as soon as they have completed five years of continuous residence in Cyprus (less in some particular circumstances: see section 2.2.3).
- Those persons who were directly related to the UK national who continuously resident in Cyprus before 31 December 2020 and resided outside the country before the end of the transitional period, provided that they can fulfill the conditions set out in point (2) of article 2 of the Directive



2004/38/EC, if the relationship existed at that date and it continues to exist when the person wishes to come to Cyprus.

- Children born or legally adopted after the end of the transitional period by a UK national or their spouse/partner who continuously resident in Cyprus before 31 December 2020, or he/she is covered by the Withdrawal Agreement and fulfill the conditions set out in point (2)(c) of article 2 of the Directive 2004/38/EC.

### 2.2.3 Continuity of residence

Continuity of residence is not affected by temporary absences not exceeding a total of six months a year, or by absences of a longer duration for compulsory military service, or by one absence of a maximum of twelve consecutive months for important reasons such as pregnancy and childbirth, serious illness, study or vocational training, or a posting. Continuity of residence is broken by any expulsion decision duly enforced against the person concerned.

### 2.2.4 Application procedure

Applications will be submitted to the [Civil Registry and Migration Department](#) in Nicosia and to the [District Units of the Aliens and Immigration Service of the Police](#).

As of 1.1.2021 UK nationals and family members who are covered by the Withdrawal Agreement can also apply through an online platform portal of the Ministry of Interior -Migration Department.

Cyprus is aiming to implement a simple and straightforward application procedure. Most applicants will need only to demonstrate that they are UK nationals or family members of UK national and prove their continuous residence in Cyprus (and that of the UK national if they are a non-UK national family member).

The process will be particularly straightforward for those UK nationals and their family members who are holders of a Certificate of Registration (MEU1), Residence Card (MEU2) or Certificate/Card of Permanent Residence (MEU3).

To keep documentary evidence to a minimum, holders of the above residence documents, should they choose to apply for the new Residence Document or for the new Permanent Residence Document (MUKW1, MUKW2, MUKW3), will not need to submit anything else with their application other than a valid passport as proof of identity and their current Certificate of Registration, or their Residence card or their Certificate/Card of Permanent Residence.

Persons who are not holders of a Certificate of Registration, Residence Card or Certificate/Card of Permanent Residence they can submit documentary evidence of their residency prior to the end of the transitional period. Where appropriate, they will be granted a Permanent Residence Document MUKW3, otherwise, where their documentary evidence establishes that they have been continuously residing in



Cyprus for a period of less than five years, they will be granted a Residence Document MUKW1, or MUKW2 respectively.

Recommended documentary evidence for a Permanent Residence Document UK3 for those who are not holders of MEU3 may - for example- include the following (not all required in every case, nor individually, but as appropriate depending on the case):

- Rental agreement or property sale contract, or title deed, for the last five years.
- Utility bills or statements of accounts from the relevant Authority (water, or telephone or electricity) dating back five years.
- Bank statement dating back five years.
- Social Insurance Certificate for contributions over the last five years by month.
- Any other document proving the completion of a continuous period of residency of five years in of Cyprus.

Eligible persons will be able to start applying as of 1 January 2021 either in person at the local Immigration offices and at the CRMD or through online applications on [EAS.CRMD.MOI.GOV.CY](https://EAS.CRMD.MOI.GOV.CY)

An application will involve payment of a required fee of €30. During the online application process the applicant will be asked to present himself at the local Immigration Offices or at the CRMD, for the submission of biometric data in order to finalize the application procedure.

Subject to the Withdrawal Agreement provisions, the required fee will not exceed the required fee for applications filed by Cypriot nationals for the issuance of an identity card. Currently these application fees are €30.00.

Applicants who are holders of a valid Certificate of Registration, Residence Card or Certificate/Card of Permanent Residence issued before the end of the transitional period, who wish to exchange their residence documents according the new procedure, will not need to submit any further documents with their applications, apart from a valid passport, as proof of identity and the current residence document in possession. All other applicants will need to submit with their applications, documentary evidence of their residency prior to the transition period in addition to the documents which are generally provided in the current free movement rules and according to the Directive 2004/38/EC.

The EU Commission introduced on 21.2.2020 an implementing Decision in regards to the documents to be issued for UK nationals and family members by all Member States. As a result, a Uniform Format on the Residence documents to be issued to UK nationals and family members who are covered under the Withdrawal Agreement will be implemented and it is based on Council Regulation 1030/2002/EC. According to these procedure, applicants will also need to submit their biometric data (fingerprints for persons over 6 years of age and facial image) and their signature (for persons over 6 years of age), so that a biometric Residence Document will be produced.

Information on the online application, forms and procedures please find on [EAS.CRMD.MOI.GOV.CY](https://EAS.CRMD.MOI.GOV.CY)



### 3. Residence Documents as proof of residence right

The residence documents granted to UK nationals and their family members (either current documents, which will continue to be issued until the end of the transitional period or the Residence Documents and Permanent Residence Documents, which will be issued after the end of the transition period, will enable UK nationals to continue their lives in Cyprus. These documents can be used as proof of their right to live and work in Cyprus.

In this respect, these documents will also be used with a valid passport for UK nationals and for their family members who are not UK nationals to travel to and from Cyprus. Non-UK family members who are holders of these documents, will not be subject to a visa requirement. Family members who are EU nationals will only need a valid passport or national identity card.

After the end of the transitional period, in the case of a non-UK family member wishing to join a UK national in Cyprus, an entry visa will be required. Visa applications for such persons will be facilitated free of charge and on the basis of an accelerated procedure. You can find out information on current visa policy [here](#).

The following table shows which documents UK nationals and their family members will be able to use to evidence their right to reside in Cyprus under the Withdrawal Agreement (note that highlighted documents are going to be issued after the end of the transitional period starting as of 1/1/2021:

	DURING THE TRANSITION PERIOD Documents in use	AFTER THE END OF THE TRANSITION PERIOD documents in use
<b>UK national</b>		Valid Certificate of Registration MEU1, or
	Valid Certificate of Registration MEU1, or	Valid Certificate of Permanent Residence MEU3, or
	Valid Certificate of Permanent Residence MEU3.	<b>Residence Document MUKW1, valid for 5 years,</b> <b>Permanent Residence Document UK3 valid for 10 years,</b>
<b>Family member (non-UK, non-EU)</b>	Valid Residence Card MEU2, or	Valid Residence Card MEU2 until expiration, or
	Valid Card of Permanent Residence MEU3, or	Valid Card of Permanent Residence MEU3 until expiration, or
	Valid Residence Permit, or	Valid Residence Permit, or
	Proof of existence of a family relationship with a UK national who is eligible to reside in Cyprus on the basis of the withdrawal agreement	<b>Residence Document MUKW2 valid for 5 years,</b> <b>Permanent Residence Document MUKW3 valid for 10 years,</b>



Please be advised that choosing to rely only on this may result in practical difficulties in obtaining your rights and sufficient delays.

## 4. Travelling from/to the Republic of Cyprus as a Beneficiary of the WA

### **Border Entry/Exit checks**

Withdrawal Agreement beneficiaries have a right to reside in the Republic of Cyprus, that is not subject to any time limitation. The passport of a UK national who resides in the Republic of Cyprus and wishes to travel from/to Cyprus will be checked at the entry/exit Border checks, but will not be stamped in the following two cases:

1. If he/she holds a residence document issued under Directive 2004/38/EC (MEU1, MEU3) then at the entry/exit borders his/her passport is not being stamped.
2. If he/she does not hold a residence document issued under Directive 2004/38/EC but can credibly evidence, by other means, that he/she exercised free movement rights in the Republic of Cyprus, before the end of the transition period and continues to reside in the Republic, then at the entry/exit borders his/her passport is not being stamped.

(Please note that documentary evidence of exercising the free movement rights prior the 31.12.20, are the same as (MEU3) application requirements documents, without the obligation of five years of residence, but the documents should bear a date until 31.12.20).

If a UK citizen does not hold a residence document issued under Directive 2004/38/EC and cannot credibly evidence, by other means, that he exercised free movement rights in the Republic of Cyprus, before the end of the transition period and that he/she continues to reside in the Republic, then his/her passport is going to be stamped during entry/exit border checks with a 90 days limitation period.