



A 'NO-DEAL' BREXIT: SECURING CITIZENS' RESIDENCE AND SOCIAL SECURITY RIGHTS

April 2019

Over 3 million EU citizens live or work in the UK and 1.3 million UK nationals live and work in the EU. The European Commission has consistently made clear that protecting the rights of citizens in a 'no-deal' scenario is a priority.

In a 'no-deal' scenario, EU rules on free movement and social security coordination will no longer apply to and in the United Kingdom. As a result, we have put in place a series of **contingency measures in the field of residence rights and social security coordination**, at EU and national level.

EU27 Member States have prepared national contingency measures, coordinated by the Commission, to ensure **continued legal residence in the immediate aftermath of a 'no-deal' Brexit** for UK nationals already legally residing in a Member State. The Commission and Member States are actively reaching out to UK nationals residing in the Union in order to inform them about their rights. UK nationals who already legally reside in a Member State for over 5 years may have access to the EU long-term resident status.

The Commission has welcomed the UK's policy that, even under a 'no-deal', EU citizens in the United Kingdom will be protected. This is a matter of UK national competence



Contingency Regulation on Social Security Coordination

With the Contingency Regulation on Social Security Coordination, the Commission aims to ensure that social security entitlements in relation to the UK acquired by EU27 or UK nationals before Brexit are protected. Periods of employment and self-employment, insurance or residence, and facts and events that occurred in the UK before Brexit, will still be taken into account.

The Contingency Regulation is:

- Only applicable to facts and periods that occurred before the withdrawal, not after.



Coordinated approach on social security coordination

To ensure the widest possible protection for people affected by the withdrawal, the Commission has proposed a unilateral coordinated contingency approach for all EU27 Member States.

The Coordinated Approach goes further than the Regulation, covering also:

- Exportation of old-age pensions to the United Kingdom;
- Reimbursements of healthcare and costs related to unemployment benefits for frontier workers that are ongoing at the time of withdrawal;
- Reimbursement requests after the withdrawal date for medical treatments provided before withdrawal;
- Medical treatment that is ongoing on the withdrawal date;
- Reimbursement requests after the withdrawal for unemployment benefits to frontier workers residing in the UK but working in the EU27 provided by the United Kingdom before withdrawal.

Individual Member States can decide to go further, for instance by continuing to export to the UK unemployment benefits, sickness benefits, maternity or paternity benefits, etc.