

Racing to Brexit: Six Months to Go

*Where We Are, What We Know, and What You Should Do...
Six Months from Brexit Day*

This 29 September 2018 marked the start of the six-month “finish line” to the official Brexit of the United Kingdom (UK) from the European Union (EU). With more than two years elapsed since the Brexit Referendum in June 2016 when the UK’s populace elected to sever its 45-year association with the EU and its forerunners — many of the questions about the future relationship between the UK and the EU remain unanswered. With the 29 March 2019 Brexit Day just six months away, Newland Chase gives this quick snapshot of where we are, what we know, and what you should do when it comes to immigration and mobility.

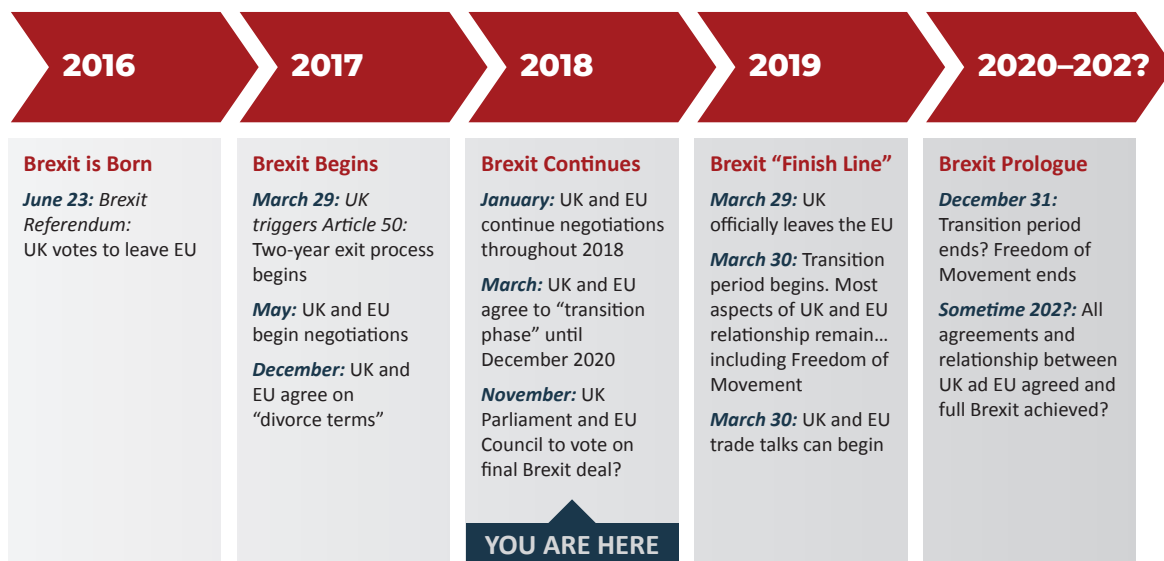
Where We Are: “YOU ARE HERE”

More than two years in, it would seem that we should be further along in the timeline. However, when the events of the previous two years and the upcoming two years are depicted graphically, it drives home the realization that we have much ground to cover yet.

After months of negotiating, the tenor of the Brexit talks appeared to reach an all-time low in late September 2018. Sticking points center around the future trade relationship and how to deal with the Irish

border. EU leaders rejected the UK’s current “Chequers plan” but have offered little hint at a constructive way forward. Both the UK and the EU have continually reiterated that “nothing is agreed until everything is agreed”; so despite seemingly early progress, it appears all issues remain on the table. Time is now running short in order for a deal to be finalized before 29 March 2019. If negotiators are unable to agree on the details of an exit deal by the end of November, the schedules of the EU governing bodies and the UK Parliament will make formally adopting a deal unlikely before the UK exits the EU on Brexit day.

“RACING TO BREXIT” — FIVE+ YEAR TIMELINE



+1 (713) 350 6597
enquiries@newlandchase.com
newlandchase.com
 Copyright Newland Chase | A CIBT Company

Newland Chase
 A CIBT COMPANY

Where We Are: Could Brexit be Stopped?

Is another referendum coming? In recent weeks, calls for another referendum on Brexit have grown increasingly louder in the UK. Polling now suggests that such a second referendum on Brexit might produce a different result with the current makeup of the electorate seemingly now slightly favouring to remain in the EU. Such a referendum directly challenging the earlier decision to leave the EU is theoretically possible, but unlikely.

Could Parliament block Brexit? Again, in theory, it could. A Parliament vote on the final Brexit deal is required; and it is a somewhat murky legal question as to what happens in the event that the Members of Parliament fail to ratify a final deal. Absent a second referendum that specifically polls the electorate on the leave/remain question, Parliament is unlikely to fundamentally overrule the previous Brexit referendum's outcome. They are, however, likely to push back on some of the specifics of the final deal put to them by the Prime Minister.

What We Know: EU Nationals in the UK

Throughout negotiations, the UK has been the side most forthcoming regarding its plans for how to deal with the end of the Freedom of Movement tenant of its relationship with the EU. In a nutshell, here's where we stand:

- **Freedom of Movement of EU nationals into the UK will officially end on 31 December 2020.** While the details for border entry have not been outlined, EU nationals will have to comply with some form of entry requirement, unlike their current free status. However, that requirement is likely to be something less than the formal visa process required of many non-EU nationals and take the form of a visa waiver or visa-on-arrival. When it comes to living and working in the UK, EU nationals will be required to complete work and residence authorization formalities similar to those of non-EU nationals.
- **EU nationals currently in the UK or arriving up until 1 January 2021 will have the right to remain.** The UK has already introduced an online process for granting "settled status" to EU nationals residing in the UK. While the system is currently being tested among a limited number of EU nationals, it is expected to be rolled out in phases nationally starting by the end of this year. "Settled status" for EU nationals will be akin to the current "Indefinite Leave to Remain" for non-EU nationals.
- **No immigration preference will be given to EU nationals from 1 January 2021 forward.** Unlike the current process, EU nationals wishing to live and work in the UK will fall under the same immigration routes and processes as non-EU nationals, with employment purposes being governed by the Tier 2 route and study purposes being governed by the Tier 4 route.

What We Know: UK Nationals in the EU

Thus far, the EU member states have all been silent on their plans for how to deal with the end of the Freedom of Movement tenant of their relationships with the UK. None of the European nations have yet introduced a similar system to that in the UK for settling UK nationals within their borders. However, the EU member states will certainly reciprocate and mirror the approach taken by the UK. There will be no immigration preference given to UK nationals from 1 January 2021 forward, and the current immigration routes and processes applicable to non-EU nationals will apply to UK nationals.

What You Should Do Now: Newland Chase Can Help

From our corporate headquarters in London and regional offices throughout Europe, Newland Chase has its finger on the pulse of immigration in the UK and the various EU member states. Throughout this Brexit process, we've been at the forefront of preparing the business community in the UK and EU for these unprecedented changes in corporate mobility and immigration. Prepare your company for success both now and in a post-Brexit environment:

- ✓ **Register your employees for settled status.** For your EU employees in the UK, immediately help them register for "settled status" and "pre-settled status" as soon as the UK Home Office's registration system opens to them. For your UK employees in the EU member states, watch in coming months for similar systems to be implemented and immediately have your employees register.
- ✓ **Recruit needed EU and UK talent ahead of the end of Freedom of Movement.** Prior to 1 January 2020, the process for obtaining work and residence authorization for EU employees in the UK and UK employees in the EU will remain under the current laws. Evaluate and anticipate your labour force needs ahead of time, and where possible, have your employees in place prior to this date.
- ✓ **Prepare for recruiting in a post-Brexit environment.** From 1 January 2020, EU and UK nationals will fall under the same work and residence authorization routes as apply to non-EU nationals now. Determine your typical employee profile and evaluate whether or not they will qualify under the existing employment-based immigration routes. Your immigration specialists can assist in this process and suggest alternate immigration strategies where available.
- ✓ **Contact us today for a comprehensive assessment and recommendations on how your company and employees can continue to succeed in the United Kingdom, Europe, and anywhere in the world.**
enquiries@newlandchase.com

Newland Chase is a specialist immigration firm with over 60 offices in 22 countries, providing a truly global service. Our professional team of immigration experts understand the complexities of global immigration, and we simplify the process to ensure you remain compliant and stress free. Our clients range from multi-national firms to growing tech start-ups, so we are able to offer tailored solutions to meet the specific needs of your industry and company size.

www.newlandchase.com

This white paper is informational only and is not intended as a substitute for legal advice based on the specific circumstances of a matter. Readers are reminded that immigration laws are fluid and can change at a moment's notice without warning or notice. Please reach out to your Newland Chase contact should you require any additional clarification or guidance. Written permission from the copyright owner and any other rights holders must be obtained for any reuse of any content published or provided by Newland Chase that extend beyond fair use or other statutory exemptions. Responsibility for the determination of the copyright status and securing any permissions rests with those persons wishing to reuse this white paper or any of its content.

+1 (713) 350 6597
enquiries@newlandchase.com
newlandchase.com
Copyright Newland Chase | A CIBT Company

Newland Chase
A CIBT COMPANY