

# The Phantom of Brexit

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## What are my rights as an EU national?

UK citizens have the right to free movement and residence in national territory as EU nationals. They can enter Portugal with a valid passport and without the need for a visa. After 3 months UK nationals should register with the Municipality to formalize the right of residence. An EU Resident Registration Certificate (*Certificado de Registo de Cidadão da União Europeia*) is issued, valid for 5 years.

5 years after registration and uninterrupted legal residence in Portugal, UK nationals can apply at the Border Agency (SEF) for an EU Permanent Residence Card (*Cartão de Residência Permanente de Cidadão da União Europeia*) which must be renewed every 5 years.

After 6 years of legal residence, UK nationals can apply for Portuguese Citizenship, by naturalization.

What are the immediate implications of Brexit for my residency rights?

Despite the vote in the referendum on 23rd June 2016, it is still uncertain whether the UK will officially cease to be a member of the EU, or when, and on what terms.

An official exit involves prior negotiations likely to last at least 2 years. Given this, UK citizens are understandably



apprehensive about their future, especially those living outside the UK.

Much has already been written about how exit will affect residency rights of UK citizens living in the EU but it is, unfortunately, too soon to say. A lot will depend on negotiations between the UK and the EU: if a single market remains, it is likely the right to free movement and residence in the EU will remain. If the British government decides to impose work permits, it is likely other countries will do the same, meaning UK nationals will have to apply for a visa to work. Despite the complexity and uncertainty, one thing is certain: until an exit officially takes place, there will be no impact on the residence rights of UK nationals.

How can I prevent Brexit

affecting my residency rights? Consider the following if resident for:

- More than 3 months - apply for a Registration Certificate
- Over 5 years - obtain a Permanent Residence Card
- At least 6 years - apply for Portuguese citizenship.

Any application to the competent Portuguese entities will mean all legal requirements will be met. So it is very important that UK citizens are aware of their rights and know the correct procedures for residency, to avoid being haunted by the phantom of Brexit.

Further information can be found at [www.tpalaw.pt/en/news](http://www.tpalaw.pt/en/news)