



GMS Flash Alert

Immigration Edition

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Czech Republic - Plans to "Regularize" U.K., Czech Nationals if "No-Deal" Brexit

The Czech government approved a law ("Lex Brexit") concerning the similar treatment of British citizens living in the Czech Republic and Czech citizens in the United Kingdom.¹ This legislation implements a transition period from the date of a "no-deal" Brexit (that starts from the date the U.K. leaves the European Union) to 31 December 2020. During this period, British citizens will be guaranteed the same treatment as if they were citizens of the European Union.

WHY THIS MATTERS

After Brexit, U.K. citizens will no longer be European Union (EU) citizens and thus will no longer be able to claim residence in an EU or European Economic Area (EEA) member state on the basis of the EU treaty. As a result, they would be subject to rules and conditions similar to those required for third-country citizens in the Czech Republic and the rest of the EU. The Lex Brexit and related measures have been prepared by the Czech authorities in order to help address many of the uncertainties and concerns in respect of U.K. citizens living and working (and studying) in the Czech Republic in the event of a no-deal Brexit and aim to help clarify and assure their residence, immigration, social security, tax, and other rights following Brexit, which is due to happen on 22 May 2019, with an alternate date of 12 April 2019 possible (and no longer on 29 March 2019 as originally slated). Particularly, the Lex Brexit will enable those British citizens and their family members staying in the Czech Republic before the date of Brexit to temporarily regularize their stay.

Further Details

Residence Permits

According to Lex Brexit, U.K. citizens and their family members may stay legally in the Czech Republic until the end of 2020 if they are holders of the Certificate of Temporary Residence Permit, Permanent Residence Permit, or Temporary

Residence Permit of a family member of an EU citizen. The same applies if the application for any of the aforementioned is submitted to the Ministry of Interior before Brexit occurs.

Right to Work

This law also confirms the right to continue working legally for those employed under the Czech labor law prior to Brexit; however, it will not cover those U.K. assignees working under a contract governed by their home country jurisdiction and standard requirements as for third country nationals would apply.

KPMG NOTE

As a result of Brexit, the Czech government put the U.K. on a list of countries whose citizens are entitled to file an application for a Long-Term visa or a Long-Term or Permanent Residence permit at any embassy of the Czech Republic (Ordinance No. 429/2010 Coll.).

FOOTNOTE:

1 For additional information about the Lex Brexit (not available in English), 74/2019., *o úpravě některých vztahů v souvislosti s vystoupením Spojeného království Velké Británie a Severního Irsku z Evropské unie*, [click here](#).

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Contact us

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