



GMS Flash Alert

Immigration Edition

2019-070 | April 5, 2019



Switzerland – Update on Brexit Withdrawal Policy for U.K. Citizens

In the event of the U.K.'s disorderly¹ withdrawal from the European Union (EU) without an agreement ("no-deal Brexit"), U.K. citizens entering Switzerland for the first time after 12 April 2019 (or any other extension date agreed upon between the U.K. and the EU)² will generally be treated as any other non-EU-nationals. Requirements such as the priority of Swiss/EU nationals, quota for non-EU-citizens, salary requirements, and personal qualification requirements (etc.) would basically apply.

However, in order to foster the close bilateral relations it has with the U.K., on 13 February 2019, the Swiss Federal Council decided to introduce a separate quota of 3,500 permits for U.K. citizens as a temporary measure that will apply until such time that future immigration agreements have been reached.³

WHY THIS MATTERS

The current 2019 quota for non-EU-citizens will not be burdened by a no-deal-Brexit and U.K. citizens will receive privileged treatment in respect of their falling under a comparably very high quota, which is separate from the one for previous non-EU nationals.

At This Stage - Context

The date for Brexit was originally set for 29 March 2019, and was recently extended to 12 April 2019. The U.K. has requested a further extension from the EU. Currently, the Brexit Withdrawal Agreement⁴ has not been approved by the U.K. Parliament. British MPs voted on 14 March 2019, in favor of delaying the U.K.'s departure from the EU beyond 29 March 2019. And on 29 March - the original day that the U.K. was due to leave the EU - MPs rejected it for a third time (this vote was slightly different as it did not include the political declaration). EU leaders agreed to an extension until 12 April 2019, and a further extension to 22 May 2019, if Parliament votes to accept the Withdrawal Agreement.⁵

Businesses and people affected by Brexit should (continue to) prepare for a no-deal Brexit.

Quota Rules: Allocation to Cantons

This quota will be allocated to the cantons on a quarterly basis and will apply from 30 March to 31 December 2019. Until further notice, permits for British citizens will be issued by the cantons (without the involvement of the Swiss federal authorities).

KPMG NOTE

In the meantime, discussions regarding a possible agreement between the U.K. and Switzerland permitting derogations from immigration requirements for U.K. citizens, temporarily, are in progress.

The KPMG Immigration Team will endeavour to update you regularly on this matter.

FOOTNOTES:

1 The terms used by the Swiss Federal Council: "en cas de retrait désordonné"/"eines ungeordneten Austritts des Vereinigten Königreichs aus der Europäischen Union".

2 For the announcement in English from the Swiss Federal Council, click [here](#).

Due to an agreement the Swiss Federal Council approved with the U.K. in December 2018 this quota would not apply to those British citizens who are already living in Switzerland and who acquired rights (e.g. of residence) in Switzerland under the Agreement on the Free Movement of Persons between Switzerland and the EU. Their residency rights shall be safeguarded.

3 According to a "Brexit preparedness" press release dated 25 March 2019 from the European Commission: *Following a request by Prime Minister Theresa May, the European Council (Article 50) [agreed](#) on Thursday 21 March to extend the U.K.'s departure date to **22 May 2019**, provided the Withdrawal Agreement is approved by the House of Commons by 29 March 2019 at the latest. If the Withdrawal Agreement is not approved by the House of Commons by then, the European Council has agreed to an extension until **12 April 2019**. In that scenario, the United Kingdom would be expected to indicate a way forward before this date.*

4 See "[Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, as agreed at negotiators' level on 14 November 2018](#)," on the website for the European Commission.

5 For up-to-date developments concerning the U.K.'s "Brexit" dealings with the EU, please refer to the "European Commission London Office Weekly News Round-up" and other news on the [website](#) of the Representation of the European Commission in the United Kingdom.

* * * *

Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or the following professional with the KPMG International member firm in Switzerland:



Adrian Tüscher

Tel. +41 58 249 36 68

atuescher@kpmg.com

** Please note that KPMG LLP (U.S.) does not provide immigration services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.*

The information contained in this newsletter was submitted by the KPMG International member firm in Switzerland.

© 2019 KPMG Holding AG/SA, a Swiss corporation, is a subsidiary of KPMG Europe LLP and a member of the KPMG network of independent firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss legal entity. All rights reserved.

www.kpmg.com

kpmg.com/socialmedia



© 2019 KPMG LLP, a Delaware limited liability partnership and the U.S. member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved. Printed in the U.S.A. NDPPS 530159

The KPMG name and logo are registered trademarks or trademarks of KPMG International.

The KPMG logo and name are trademarks of KPMG International. KPMG International is a Swiss cooperative that serves as a coordinating entity for a network of independent member firms. KPMG International provides no audit or other client services. Such services are provided solely by member firms in their respective geographic areas. KPMG International and its member firms are legally distinct and separate entities. They are not and nothing contained herein shall be construed to place these entities in the relationship of parents, subsidiaries, agents, partners, or joint venturers. No member firm has any authority (actual, apparent, implied or otherwise) to obligate or bind KPMG International or any member firm in any manner whatsoever. The information contained in herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

Flash Alert is a GMS publication of KPMG LLP's Washington National Tax practice. To view this publication or recent prior issues online, please click [here](#). To learn more about our GMS practice, please visit us on the Internet: click [here](#) or go to <http://www.kpmg.com>.