



# GMS Flash Alert

Immigration Edition

2020-370 | August 25, 2020



## Sweden - Brexit and U.K. Nationals' Right to Stay in Sweden

Sweden's government introduced a bill regarding rights for British nationals in Sweden following Brexit on 16 June 2020.<sup>1</sup> The bill supplements the Brexit Withdrawal Agreement concerning rights for British citizens to live and work in Sweden, and to travel here.<sup>2</sup>

### WHY THIS MATTERS

The implementation of the new government bill would result in a requirement for all British nationals, and their family members, already staying in Sweden (under the Withdrawal Agreement) to actively file an application with the Migration Agency in order to legalise their stay in Sweden after 31 December 2020.

The deadline for submitting an application must be at least six months from the end of the transition period; the length of the deadline period has not yet been decided. However, the government bill does suggest that individuals who apply for the new residence status will keep their rights during the entire processing time of the application.

No application fee will be charged for this type of application.

### Some Key Details of Status of British Citizens in Sweden: Transition and Post-Brexit

In the Withdrawal Agreement, the U.K. and the remaining European Union (EU) member states agreed on a transition period during which British nationals essentially kept the rights that they had as EU nationals.<sup>3</sup> The transition period will end on 31 December 2020. During the transition period, British nationals will be able to stay, live, and work in Sweden without requiring a work or residence permit.

The Brexit Withdrawal Agreement gives EU member states an option to require British citizens, and their family members, who are residing in an EU country at the end of the transition period (under the Withdrawal Agreement) to

© 2020 KPMG AB, a Swedish limited liability company and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved. The KPMG name and logo are registered trademarks or trademarks of KPMG International.

apply for a new type of residence status (article 18.1). After the transition period, the new residence status will give such individuals the same right to live and work in the EU country as they previously had as EU nationals. Sweden's government intends to implement this article.

The Swedish Migration Agency has been assigned to handle applications for the new residence status and issue permits for those who are currently covered by the Withdrawal Agreement.<sup>4</sup>

Generally, for British citizens who do not reside in Sweden prior to the end of the transition period, but want to live or work in Sweden, Brexit means that they will be treated as other third country nationals. Hence, they will have to apply for a work/residence permit prior to their arrival in the country.

British citizens will not have to apply for a visa to enter Sweden and they will be allowed to stay here for periods up to three months with no other requirements than to hold a valid passport or national ID card.

However, in order to perform work in Sweden a work permit will be required also for shorter stays.

## FOOTNOTES:

1 For the text and status of the legislation (in Swedish), see: <https://data.riksdagen.se/fil/2C4E6D9A-EA42-45F8-A554-EF234984060E>.

2 For more on the EU-U.K. Withdrawal Agreement, see: [https://ec.europa.eu/info/european-union-and-united-kingdom-forging-new-partnership/eu-uk-withdrawal-agreement\\_en](https://ec.europa.eu/info/european-union-and-united-kingdom-forging-new-partnership/eu-uk-withdrawal-agreement_en).

3 For other Brexit reports in GMS *Flash Alert*, see: <https://home.kpmg/xx/en/home/insights/2015/09/flash-alert-brexit.html>.

4 For the text and status of the legislation (in Swedish), see: <https://data.riksdagen.se/fil/2C4E6D9A-EA42-45F8-A554-EF234984060E>.

\* \* \* \*

## RELATED RESOURCE:

This article is excerpted, with permission, from "[Post Brexit – right to stay in Sweden](#)," in *TaxNews* (24 June 2020), a publication of the KPMG International member firm in Sweden.

## Contact us

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



**Helene Markstrom**  
**Senior Manager**

Tel. + 46 31 614 817

[Helene.markstrom@kpmg.se](mailto:Helene.markstrom@kpmg.se)



**Nina Dahlsten**  
**Manager**

Tel. + 46 31 614 803

[Nina.dahlsten@kpmg.se](mailto:Nina.dahlsten@kpmg.se)

*\* Please note that KPMG LLP (U.S.) does not offer immigration services or labour law 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 Sweden.**

© 2020 KPMG AB, a Swedish limited liability company and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved. The KPMG name and logo are registered trademarks or trademarks of KPMG International.

[www.kpmg.com](http://www.kpmg.com)

[kpmg.com/socialmedia](http://kpmg.com/socialmedia)



© 2020 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>.