

GMS Flash Alert



Immigration Edition

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Croatia - Brexit: Rules Applying to U.K. Citizens Residing in Croatia

The Brexit transition period set out in the Withdrawal Agreement (2019/C 384 I/01) ended on 31 December 2020.

The Croatian parliament adopted the Law on amendments to the Law on EEA nationals and their family members,¹ which came into effect on 1 January 2021. These amendments set out the implementation of the part of the Withdrawal Agreement related to regulating the residence status of U.K. nationals and their family members in Croatia after 31 December 2020.

WHY THIS MATTERS

While employers and U.K. national employees and individuals had been subject to the same European Union (EU) rules governing the nationals of other EU member states, a different set of rules apply following the end of the transition period that happened on 31 December 2020. A new immigration status will be applicable to such U.K. nationals who were already residing and/or working in Croatia. From January 2021 onwards, all the same provisions that apply to third-country nationals will apply to U.K. nationals entering Croatia for the first time, and the EU directive on free movement no longer applies in their case. This must be considered when planning and scheduling the posting and relocation of U.K. employees to the EU.

The rules under the new law are welcome as they codify in national law the rights of U.K. nationals and their family members to come to, and stay and work in, Croatia.

Different Rules Apply Depending on Whether U.K. National Is Beneficiary of Withdrawal Agreement

Under the terms of the Withdrawal Agreement, the following are permitted to continue living in Croatia under the same terms as applicable to EU citizens:

- U.K. citizens and their family members who by/on 31 December 2020 had registered either their temporary or permanent stay in Croatia;
- U.K. citizens and their family members who by/on 31 December 2020 lived in Croatia and continue to live in Croatia, but did not have their temporary or permanent stay registered by/on 31 December 2020, provided that they can prove that they have continued to reside in Croatia.

The above Withdrawal Agreement beneficiaries should register their residence status in the period between 1 January 2021 and 30 June 2021. Upon successful registration, the beneficiaries would be issued residence permits confirming their status.

U.K. citizens who had registered their temporary or permanent stay in Croatia by/on 31 December 2020, should also register their residence status.

Failure to obtain a residence permit up through 30 June 2021, does not preclude beneficiaries from subsequently registering; however, they could be fined in the event of late applications.

Those U.K. citizens who do not fall in any of the above categories are considered as third-country nationals, and will have to regulate their immigration status in Croatia in accordance with existing provisions that apply to all third-country nationals.

FOOTNOTE:

1 The Law on amendments to the Law on EEA nationals and their family members (*Zakon o izmjenama i dopunama Zakona o državljanima država članica Europskog gospodarskog prostora i članovima njihovih obitelji*), published in the country's official gazette (*Narodne Novine*) No. 66/2019, 53/2020, 144/2020.

For additional information on the action steps required and rights of U.K. nationals coming to Croatia, see "Guidance: Living in Croatia" published online by the U.K. Foreign & Commonwealth Office at: <https://www.gov.uk/guidance/living-in-croatia>.

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Contact us

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