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ANNEX

**ANNEX**

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**REPORT FROM THE COMMISSION**

**pursuant to Article 159(2) of the Withdrawal Agreement**

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# REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

## Austria

### Report for 2021

#### 1) Residence rights

Austria operates a constitutive residence scheme in accordance with Article 18 (1) of the Withdrawal Agreement. The residence scheme opened for applications on 1 January 2021. Residence documents have been issued in the EU's uniform physical format form since 4 January 2021. Residence documents are issued for a charge of 61,5 EUR.

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement is 31 December 2021 or within three months of their arrival in Austria, whichever is later.

Austria has not put in place more favourable residence conditions.

Austria has made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

With respect to maintenance aid for studies, Section 75 paragraph 40 Studienförderungsgesetz (StudFG), [BGBl. Nr. 305/1992](#) as amended [in BGBl. I Nr. 15/2021](#) ([link](#) to consolidated version, available only in German language) in connection with Section 4 paragraph 1a StudFG derogates from equal treatment.

##### a. Key legislative instruments implementing the Withdrawal Agreement

§ 57a Residence and Settlement Act (Niederlassungs- und Aufenthaltsgesetz – NAG), [BGBl. I Nr. 100/2005](#) as amended in [BGBl. I Nr. 146/2020](#). Consolidated version is available [here](#) (only in German language): <https://www.ris.bka.gv.at/Dokumente/Bundesnormen/NOR40227002/NOR40227002.pdf>.

##### b. Key legislative instruments adopted or amended in the reporting year

Verordnung des Bundesministers für Inneres zur Durchführung der Bestimmungen hinsichtlich Aufenthalt und Aufenthaltsbeendigung im Abkommen über den Austritt des Vereinigten Königreichs Großbritannien und Nordirland aus der Europäischen Union und der Europäischen Atomgemeinschaft, BGBl. II Nr. 604/2020 (Brexit-Durchführungsverordnung – Brexit-DV). Consolidated version is available [here](#) (only in German language): [Brexit-DV, Fassung vom 21.03.2022.pdf \(bka.gv.at\)](#).

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

##### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	11 200
B	Number of residence applications made in the reporting year	9 458
B1	Number of in time residence applications made in the reporting year	9 458
B1a	Number of applications granted as pre-permanent residence	3 364
B1b	Number of applications granted as permanent residence	5 050
B1c	Number of applications refused	Data not available
B1c1	Out of B1c, number of applications that were invalid	

B1c2	Out of B1c, number of applications that were withdrawn by applicants	Not applicable in the reporting year
B1d	Total number of in time applications pending at the end of the reporting year	
B2	Number of late residence applications made in the reporting year	
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	
B2a1	Number of applications granted as pre-permanent residence	
B2a2	Number of applications granted as permanent residence	
B2a3	Number of applications refused	
B2a3a	Out of B2c3, number of applications that were invalid	
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	
B2d	Total number of late applications pending at the end of the reporting year	
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In Austria, beneficiaries of the Withdrawal Agreement are not obliged to apply for a document identifying their frontier workers' rights. Such documents must be issued upon application.

The frontier worker scheme opened for applications on 11 December 2020. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued for a charge of typically 38,5 EUR in total (based on standard fees for issuing comparable identification documents to EU, EEA and Swiss nationals and their family members).

### a. Key legislative instruments implementing the Withdrawal Agreement

Section 1 paragraph 2 letter 1 in combination with section 3 paragraph 8 of the Austrian Act Governing the Employment of Foreign Nationals (Ausländerbeschäftigungsgesetz – AuslBG, BGBl Nr. 218/1975, as amended in BGBl I Nr. 1/2022 idF BGBl I Nr. 16/2022).

Link to the consolidated version of the AuslBG –

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10008365>.

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance information in German – <https://www.bundeskanzleramt.gv.at/themen/brexit/aufenthalt-zugang-zum-arbeitsmarkt.html>.

Guidance information in English – <https://www.bundeskanzleramt.gv.at/en/topics/brexit/residency-and-access-to-the-labour-market.html>.

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Number of applications made in the reporting year	11
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A1	Number of applications granted	8
A2	Number of applications refused	3
A2a	Out of A2, number of applications that were invalid	Data not available
A2b	Out of A2, number of applications that were withdrawn by applicants	1
A3	Number of applications that are still pending at the end of the reporting year	0

### 3) Co-ordination of social security schemes

#### a. Key legislative instruments implementing the Withdrawal Agreement

None. The Withdrawal Agreement is directly applied by the Austrian authorities and institutions.

#### b. Key legislative instruments adopted or amended in the reporting year

None. The Withdrawal Agreement is directly applied by the Austrian authorities and institutions.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Information available on the website of the Federal Ministry of Social Affairs, Health, Long-Term-Care and Consumer Protection: <https://www.sozialministerium.at/Themen/Soziales/Sozialversicherung/Sozialversicherung-International.html>

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

Please provide relevant statistical data on:

- Applicable legislation (*Portable Document A1*)
- Cross-border health care (*EHIC, Portable Documents S1 and S2*)
- Pensions

At the moment, there is no data available on applicable legislation, cross-border health care and pensions.

- Unemployment benefits (*Portable Documents U1 and U2*)

According to the latest Report on U1 Portable Documents for 2020, Austria received 175 Portable Documents U1 as competent Member State for aggregating periods from the UK as Member State of previous employment.

Concerning the Portable Documents U2, Austria does not include a breakdown by Member State in the Report on U2 Portable Documents and therefore cannot provide specific data for the UK.

- Family benefits

See the remark on applicable legislation, cross-border healthcare and pensions.

### 4) Recognition of professional qualifications

#### a. Key legislative instruments implementing the Withdrawal Agreement

Lawyers: The amendments to the Austrian lawyers Act (RAO – a consolidated version is available here: [RIS - Rechtsanwaltsordnung - Bundesrecht konsolidiert, Fassung vom 22.03.2022 \(bka.gv.at\)](#)) and the Federal law on the free movement of services and the establishment of European lawyers and the provision of legal services by internationally operating lawyers in Austria (EIRAG – a consolidated version is available here: [RIS - Europäisches Rechtsanwaltsgesetz - Bundesrecht konsolidiert, Fassung vom 22.03.2022 \(bka.gv.at\)](#)) made by the Federal Acts published in the Federal Law Gazette I No. 156/2020 ([BGBlA 2020 I 156.pdfsig \(bka.gv.at\)](#)) and No. 157/2020

[\(BGBLA 2020 I 157.pdf sig \(bka.gv.at\)\)](#) ensure that, in accordance with Articles 27 and 28 of the Withdrawal Agreement, nationals of the United Kingdom who meet the requirements laid down in the EIRAG and who have applied before 1 January 2021 may continue to make use of the possibilities granted to European lawyers by Directive (EC) No 5/1998 and Directive (EC) No 36/2005 (including taking an aptitude test under the EIRAG) until they are fully integrated in Austria (in the form of registration as a lawyer with an Austrian Bar).

Other: None. The Withdrawal Agreement is directly applied by the Austrian authorities and institutions.

#### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Information available on the website of the Federal Ministry for Digital and Economic Affairs – <https://www.bmdw.gv.at/Themen/International/Handels-und-Investitionspolitik/EU/Brexit.html>.

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	Data not available
A1	Number of applications granted	
A2	Number of applications refused	
A2a	Out of A2, number of applications that were invalid	
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	

## **REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT**

# Belgium

## Report for 2021

### 1) Residence rights

Belgium operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications on 1 January 2021. Residence documents have been issued in the EU's uniform physical format form since 1 January 2021. Residence documents are for a charge that depends on the municipality.

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement was 31 December 2021.

Belgium has not put in place more favourable residence conditions.

Belgium has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

### a. Key legislative instruments implementing the Withdrawal Agreement

Art. 47/5 of the Law of 15 December 1980, available [here](#).

Art. 69undecies – 69terdecies of the Royal Decree of 8 October 1981, available [here](#).

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance on the website of the Immigration Office, available [here](#).

Syllabus for the communes (not published online).

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	18 644
B	Number of residence applications made in the reporting year	10 164
B1	Number of in time residence applications made in the reporting year	10 164
B1a	Number of applications granted as pre-permanent residence	4 806
B1b	Number of applications granted as permanent residence	4 802
B1c	Number of applications refused	131
B1c1	Out of B1c, number of applications that were invalid	Data not available
B1c2	Out of B1c, number of applications that were withdrawn by applicants	Data not available
B1d	Total number of in time applications pending at the end of the reporting year	Data not available
B2	Number of late residence applications made in the reporting year	Not applicable in the reporting year
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	
B2a1	Number of applications granted as pre-permanent residence	
B2a2	Number of applications granted as permanent residence	
B2a3	Number of applications refused	
B2a3a	Out of B2c3, number of applications that were invalid	
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	
B2d	Total number of late applications pending at the end of the reporting year	
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	72*
C1	Number of entry visas granted	43*
C2	Number of entry visas applications refused	8*
C3	Total number of entry visa applications pending at the end of the reporting year	Data not available

\* Partial data available from June 2021 only.

## 2) Rights of employed and self-employed frontier workers

In Belgium, beneficiaries of the Withdrawal Agreement are obliged to apply for a document identifying their frontier workers' rights by 31 December 2021. Such documents must be issued upon application.

The frontier worker scheme opened for applications on 1 January 2021. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued for a charge (depends on the commune).

**a. Key legislative instruments implementing the Withdrawal Agreement**

Art. 47/5 of the Law of 15 December 1980, available [here](#).

Art. 69undecies – 69terdecies of the Royal Decree of 8 October 1981, available [here](#).

**b. Key legislative instruments adopted or amended in the reporting year**

No such instruments in the reporting year.

**c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

Guidance on the website of the Immigration Office, available [here](#).

Syllabus for the communes (not published online).

**d. Key domestic jurisprudence from the reporting year**

No such jurisprudence in the reporting year.

**e. Statistical data**

A	Number of applications made in the reporting year	Data not available
A1	Number of applications granted	
A2	Number of applications refused	
A2a	Out of A2, number of applications that were invalid	
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	

### 3) Co-ordination of social security schemes

**a. Key legislative instruments implementing the Withdrawal Agreement**

Belgium has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

**b. Key legislative instruments adopted or amended in the reporting year**

In the reporting year there were no such legislative instruments. The rules of the Withdrawal Agreement are applied directly.

**c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

**Family Benefits**

For the Flemish Groeipakket (family benefits), there's the following administrative document: "Mededeling nr. E/7 van het Vlaams Agentschap Uitbetaling Groeipakket betreffende de impact van de Brexit op het Groeipakket", available [here](#).

Circulaire (réf.: CO PF 15) du 14 janvier 2021 : instructions aux organismes d'allocations familiales concernant les mesures transitoires applicables à partir du 1er janvier 2021 – situations familiales existantes au 31 décembre 2020 et situations familiales survenant après le 31 décembre 2020, available [here](#).

**d. Key domestic jurisprudence from the reporting year**

No such jurisprudence in the reporting year.



## e. Statistical data

### **Applicable legislation (Portable Document A1)**

We are not able to make a distinction between A1 delivered on the base of the Withdrawal Agreement or on the base of the Trade and Cooperation Agreement.

Delivered A1's 2021: 224

A1's 3.3 posted self-employed person: 34

A1's 3.4 self-employed person working in two or more states: 158

A1's 3.7 seaman: 4

A1's 3.8 working as an employee and a self-employed: 12

A1's 3.9 working as an officer in a country and as an employee or self-employed: 13

A1's 3.10 pilot: 1

A1's 3.11 exception: 2

A1 posted employed: 669

A1 employed person working in two or more states: 7 396

### **Cross-border health care (EHIC, Portable Documents S1 and S2)**

For the health care sector, we can provide the number of S1 documents (or SED S072 or E106/109/121) and S2 documents issued or received in relation to the United Kingdom (not possible for the EHIC, as it is not specific to the United Kingdom), but we do not yet have consolidated figures for the reference year 2021 (these figures are transmitted annually to the Administrative Commission in the summer/autumn).

For the time being, we can only provide figures for the reference year 2020 (documents issued between 1 January 2020 and 31 December 2020, or documents still valid on 31 December 2020 regardless of the year of issue):

- Residence in the other State, documents (S1/S072/E106/E109/E121) issued by Belgium between 01 January 2020 and 31 December 2020 = 93
- Residence in the other State, documents (S1/S072/E106/E109/E121) issued by the United Kingdom between 01 January 2020 and 31 December 2020 = 648
- Residence in the other State, documents (S1/S072/E106/E109/E121) issued by Belgium and still valid on 31 December 2020 = 1256
- Residence in the other State, documents (S1/S072/E106/E109/E121) issued by the United Kingdom and still valid on 31 December 2020 = 3453
- Care scheduled in the other State, S2 documents issued by Belgium between 01 January 2020 and 31 December 2020 = 4
- Care planned in the other State, S2 documents issued by the United Kingdom between 01 January 2020 and 31 December 2020 = 29

### **Pensions**

No statistics linked to the Withdrawal Agreement.

### **Sickness benefits and invalidity benefits**

At this stage we only have figures for the year 2020, as the year 2021 is not yet (fully) available.

For 2020 (still a Withdrawal Agreement transitional period) the following figures have been provided in the AC questionnaires.

- Disability benefits paid in 2020 for 42 UK resident pensioners on 31 December 2020
- Primary Benefits paid in 2020 for 40 people with a known UK address by 31 March 2021
- Maternity benefit paid in 2020 for 9 people with a known UK address at 31 March 2021
- Paternity benefit paid in 2020 for 6 people with a known UK address by 31 March 2021

### **Unemployment benefits (Portable Documents U1 and U2)**

- Unemployment benefits granted to a UK national in 2021: 8
- Unemployment benefits granted in 2021 on the basis of an employment in the UK: 61
- Deliverance of an PD U1 to a UK national: 31 (21 directly to the person and 10 via EESSI)
- Demand of a UK institution for a PD U1 via EESSI: 54

## **Family benefits**

No statistics at the moment.

### **4) Recognition of professional qualifications**

#### **a. Key legislative instruments implementing the Withdrawal Agreement**

Belgium has adopted no specific legislative instruments to implement the Withdrawal Agreement on the recognition of professional qualifications. Its rules are applied directly.

#### **b. Key legislative instruments adopted or amended in the reporting year**

In the reporting year there were no such legislative instruments. The rules of the Withdrawal Agreement are applied directly.

#### **c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

No administrative documents have been adopted.

#### **d. Key domestic jurisprudence from the reporting year**

No such jurisprudence in the reporting year.

#### **e. Statistical data**

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	14
A1	Number of applications granted	10
A2	Number of applications refused	4
A2a	Out of A2, number of applications that were invalid	4
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

## **REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT**

# **Bulgaria**

## **Report for 2021**

### **1) Residence rights**

Bulgaria operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on 1 February 2020. Residence documents have been issued in the EU's uniform physical format since the beginning of July 2020. Residence documents are issued for a charge of 18 BGN (approx. 9 EUR) for normal service and 36 BGN (approx. 18 EUR) for express service.

United Kingdom nationals are obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status three months after entering the country (during the transition period)/

before the end of 2021/before the expiration of the term of validity of their residence document – whichever comes first. Such document must be issued upon voluntary application.

Third-country family members of United Kingdom nationals are obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status three months after entering the country or before the expiration of the term of validity of their residence document/the end of 2021– whichever comes first.

United Kingdom nationals are able to use their old residence documents issued under EU law on free movement of EU citizens for a period of up to one year after the end of the transition period (until 31 December 2021) or the expiry date of their residence documents – whichever comes first.

Bulgaria has not put in place more favourable residence conditions.

Bulgaria has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Act on Entering, Residing and Leaving the Republic of Bulgaria by European Union Citizens and Their Family Members<sup>1</sup>, as amended. Consolidated version is available [here](#) and English translation of the original Act<sup>2</sup> (not latest version yet) is available [here](#).

#### b. Key legislative instruments adopted or amended in the reporting year

Minor changes were introduced to the *Act on Entering, Residing and Leaving the Republic of Bulgaria by European Union Citizens and Their Family Members (Promulgated, State Gazette Issue 21 of 12 March 2021)*, in order to improve clarity and have more thorough regulation. Consolidated version is available [here](#) and English translation of the original Act (no current version) is available [here](#).

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Up-to-date information is regularly published in a section of the Ministry of Interior’s website<sup>3</sup> [here](#) that is dedicated to the rights of the United Kingdom nationals under the Withdrawal Agreement. The website explains the relevant procedures, required documents, application process and other elements.

#### d. Key domestic jurisprudence from the reporting year

Supreme Administrative Court Decisions No 4708 of 14 April 2021 on administrative case No 1355/2021 and Supreme Administrative Court Decisions No 8257 of 7 July 2021 on administrative case No 3734/2021.

Both decisions were issued in a cassation appeal against the annulment of a refusal to issue a visa by the court of first instance and in both instances annulment was confirmed. In both cases, the Court confirmed the applicability of the respective national provisions implementing the Withdrawal Agreement, providing for a beneficiary status of the applicant (third country national, who is a member of the family of United Kingdom national falling within the scope of the Withdrawal Agreement).

#### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	12 500
B	Number of residence applications made in the reporting year	3 232
B1	Number of in time residence applications made in the reporting year	3 232
B1a	Number of applications granted as pre–permanent residence	2 887

<sup>1</sup> <https://www.lex.bg/bg/laws/ldoc/2135535758>

<sup>2</sup> <https://mvr.bg/migration/information-about-foreigners/%D0%B4%D0%B5%D0%B9%D0%BD%D0%BE%D1%81%D1%82%D0%B8-%D0%B8-%D1%84%D1%83%D0%BD%D0%BA%D1%86%D0%B8%D0%B8/legislation>

<sup>3</sup> <https://www.mvr.bg/en/about-the-ministry/brexit/information-about-brexit>

B1b	Number of applications granted as permanent residence	345
B1c	Number of applications refused	2
B1c1	Out of B1c, number of applications that were invalid	2
B1c2	Out of B1c, number of applications that were withdrawn by applicants	3
B1d	Total number of in time applications pending at the end of the reporting year	Data not available
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available
C1	Number of entry visas granted	219
C2	Number of entry visas applications refused	3
C3	Total number of entry visa applications pending at the end of the reporting year	244

## 2) Rights of employed and self-employed frontier workers

In Bulgaria beneficiaries of the Withdrawal Agreement are obliged to apply for a document identifying their frontier workers' rights. Such documents must be issued upon application.

The frontier worker scheme opened for applications on 1 February 2020. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued for a charge of 18 BGN (approx. 9 EUR) for normal service and 36 BGN (approx. 18 EUR) for express service.

### a. Key legislative instruments implementing the Withdrawal Agreement

Act on Entering, Residing and Leaving the Republic of Bulgaria by European Union Citizens and Their Family Members, as amended. Consolidated version is available [here](#) and English translation of the original Act (*no current version*) is available [here](#).

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Up-to-date information is regularly published in a section of the Ministry of Interior's website [here](#) that is dedicated to the rights of the United Kingdom nationals under the Withdrawal Agreement. The website explains the relevant procedures, required documents, application process and other elements.

### d. Key domestic jurisprudence from the reporting year

In 2021 there were no judgments related to this area of the Withdrawal Agreement.

### e. Statistical data

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

## 3) Co-ordination of social security schemes

No legislative instruments are required at the national level due to the direct applicability of the regulations on coordinating social security, which according to Article 31 of the Withdrawal Agreement are the same as those in Article 48 TFEU and specified in Regulation (EC) No 883/2004 on coordinating social security systems and Regulation (EC) No 987/2009 on establishing the procedure for implementing the aforementioned resolution.

### a. Key legislative instruments implementing the Withdrawal Agreement

No need for legislative activity at national level was identified.

## b. Key legislative instruments adopted or amended in the reporting year

No need for legislative activity at national level was identified.

## c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidelines for the application of the provisions in relation to the competence of the National Health Insurance Fund under Part Two (Citizens' Rights) of the Withdrawal Agreement. Consolidated version is available [here](#).

## d. Key domestic jurisprudence from the reporting year

1. Decision № 128/28.10.2021 of the Administrative Court – Targovishte, Case № 241/2021
2. Decision № 555/05.11.2021 of the Administrative Court – Haskovo, Case № 880/2021
3. Decision № 155/16.11.2021 of the Administrative Court – Lovech, Case № 299/2021
4. Decision № 169/29.11.2021 of the Administrative Court – Lovech, Case № 280/2021
5. Decision № 169/03.12.2021 of the Administrative Court – Gabrovo, Case № 274/2021
6. Decision № 657/13.12.2021 of the Administrative Court – Haskovo, Case № 747/2021
7. Decision № 499/26.11.2021 of the Administrative Court – Montana, Case № 439/2021
8. Decision № 49/26.11.2021 of the Administrative Court – Ruse, Case № 510/2021
9. Decision № 509/19.11.2021 of the Administrative Court – Pleven, Case № 498/2021
10. Decision № 525/13.12.2021 of the Administrative Court – Montana, Case № 452/2021
11. Decision № 125/20.12.2021 of the Administrative Court – Silistra, Case № 116/2021
12. Decision № 553/22.12.2021 of the Administrative Court – Montana, Case № 493/2021
13. Decision № 123/02.12.2021 of the Administrative Court – Vidin, Case № 224/2021
14. Decision № 288/12.01.2022 of the Administrative Court – Pernik, Case № 602/2021
15. Decision № 8/31.01.2022 of the Administrative Court – Lovech, Case № 352/2021
16. Decision № 93/11.02.2022 of the Administrative Court – Haskovo, Case № 1132/2021
17. Decision № 45 or 04.02.2022 of the Administrative Court – Pleven, Case № 813/2021 r
18. Decision № 6 or 21.02.2022 of the Administrative Court – Ruse, Case № 736/2021 r.
19. Decision № 58 or 22.02.2022 of the Administrative Court – Montana, Case № 24/2022 r.
20. Decision № 44 or 02.03.2022 of the Administrative Court – Veliko Tarnovo, Case № 736/2021
21. Decision № 5/21.02.2022 of the Administrative Court – Gabrovo, Case № 280/2021 r.

## e. Statistical data

- Applicable legislation (Portable Document A1)  
In 2021 the number of Portable Documents A1 issued for UK is 58
- Cross-border health care (EHIC, Portable Documents S1 and S2)  
No statistics on cross-border health care available
- Pensions  
*From 01.01.2021 to 24.03.2022 the number of the pensions granted (BG and UK insurance periods) is 323.*
- Unemployment benefits (Portable Documents U1 and U2) –  
*From 01.01.2021 to 24.03.2022 the number of the UBs granted (BG and UK insurance periods) is 9 322.*  
*From 01.01.2021 to 24.03.2022 the number of the received from the persons PD U1 issued from UK is 6 046.*  
*From 01.01.2022 to 24.03.2022 the number of the received from UK SEDs U002 through EESSI system is 2 565.*  
*From 01.01.2022 to 24.03.2022 the number of the received from UK SEDs U017 through EESSI system is 6 739.*
- Family benefits  
*In 2021, no SEDs were received through the ESSII system*

## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

Directive (EC) No 2005/36 on the mutual recognition of professional qualifications has been transposed into Bulgarian legislation through the Law on the Recognition of Professional Qualifications. According to Article 1 of the Law on the Recognition of Professional Qualifications, it regulates the terms and conditions for recognition of professional qualifications acquired in other Member States, as well as third countries, for the purpose of access to and exercise of regulated professions in Bulgaria. United Kingdom nationals fall within the scope of the Law on the Recognition of Professional Qualifications.

### b. Key legislative instruments adopted or amended in the reporting year

No legislative instruments were adopted or amended in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

The Withdrawal Agreement is implemented directly.

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	34
A1	Number of applications granted	34
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

## REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

# Cyprus

## Report for 2021

### 1) Residence rights

Cyprus operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on 1 January 2021. Residence documents have been issued in the EU's uniform physical format form since 1 March 2021. Residence documents are issued for a charge of 30 EUR.

United Kingdom nationals are not obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status. Such document must be issued upon voluntary application.

Third-country family members of United Kingdom nationals are obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status by expiration of their former EU Documents.

United Kingdom nationals can use their old residence documents issued under EU law on free movement of EU citizens until they voluntarily apply for the new Document. The old residence documents issued under EU law can be used as means of proof of their right to reside in Cyprus.

Cyprus has not put in place more favourable residence conditions.

Cyprus has made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement. Cyprus as being a small country has made use of the derogations provided in the Withdrawal Agreement due to budget constraints.

#### a. Key legislative instruments implementing the Withdrawal Agreement

N193(I)/2020

[http://www.moi.gov.cy/moi/crmd/crmd.nsf/54E6A56BE1AC002AC2257A4000265BC4/\\$file/2020\\_1\\_193\\_EN.pdf](http://www.moi.gov.cy/moi/crmd/crmd.nsf/54E6A56BE1AC002AC2257A4000265BC4/$file/2020_1_193_EN.pdf)

#### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

<http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/E1C17B76ED2B212BC225864C00378042?OpenDocument>

#### d. Key domestic jurisprudence from the reporting year

N193(I)/2020.

#### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	39 419
B	Number of residence applications made in the reporting year	2 628
B1	Number of in time residence applications made in the reporting year	2 628
B1a	Number of applications granted as pre-permanent residence	1 044
B1b	Number of applications granted as permanent residence	905
B1c	Number of applications refused	4
B1c1	Out of B1c, number of applications that were invalid	4
B1c2	Out of B1c, number of applications that were withdrawn by applicants	0
B1d	Total number of in time applications pending at the end of the reporting year	679
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	856
C1	Number of entry visas granted	841
C2	Number of entry visas applications refused	15
C3	Total number of entry visa applications pending at the end of the reporting year	0

## 2) Rights of employed and self-employed frontier workers

In Cyprus, beneficiaries of the Withdrawal Agreement are not obliged to apply for a document identifying their frontier workers' rights. Such documents must be issued upon application.

There is not any interest for applications as frontier workers.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Legislation amendment was postponed.

#### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

e. Statistical data

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

### 3) Co-ordination of social security schemes

a. Key legislative instruments implementing the Withdrawal Agreement

No legislative instruments were deemed necessary to implement the Withdrawal Agreement. Its rules are applied directly.

b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

<https://brexit.com.cy/>

d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

e. Statistical data

- Applicable legislation (*Portable Document A1=0*)
- Cross-border health care (*EHIC, Portable Documents S1 and S2*)

EHIC - No statistical data available

**Portable Documents S1**

Number of PD S1 Issued: 3

Number of PD S1 Received: 981

**Portable Documents S2**

Number of PD S2 Issued: 65

- Pensions – *Pensions data not available at this time*
- Unemployment benefits (*Portable Documents U1=2 and U2=0*)
- Family benefits

Child Benefit

- 504 applications for Child Benefit were submitted in 2021 by UK nationals
- The family members were 1,782
- 463 applications were approved
- 28 applications were rejected



## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

No legislative instruments were deemed necessary to implement the Withdrawal.

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Following guidance from the European Commission as well as consultations with the Law Office and the competent authorities of the Republic of Cyprus, the Department of Labour resulted in issuing an administrative guidance document on the implementation of the Withdrawal Agreement (document link provided- please see below).

EN Labour Department

<http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/All/222687E29B65857AC225869D004B7B58?OpenDocument>

Brexit Cyprus

<https://brexit.com.cy/professional-qualifications2.html>

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	400*
A1	Number of applications granted	Data not available
A2	Number of applications refused	
A2a	Out of A2, number of applications that were invalid	
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	

\*Out of the 400 applications within the reporting year 2021, only 4 were submitted by UK nationals, while the rest were submitted mostly by Cypriot citizens.

## REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

# The Czech Republic

## Report for 2021

### 1) Residence rights

The Czech Republic operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on 1 February 2020. Residence documents have been

issued in the EU's uniform physical format form since 3 August 2021. Residence documents are issued for a charge of 200 CZK (approximately 8 EUR).

Existing residence documents are replaced free of charge.

United Kingdom nationals are obliged to apply for a residence document attesting their new residence status by 31 August 2022.

Third-country family members of United Kingdom nationals are obliged to apply for a residence document attesting their new residence status by 31 August 2022.

United Kingdom nationals are able to use their old residence documents issued under EU law on free movement of EU citizens until their end of validity.

The Czech Republic has put in place more favourable residence conditions. Lawfully residing United Kingdom nationals and their family members continue to reside in the Czech Republic with their existing rights, which they have acquired and which are generally identical to those of EU nationals residing in the Czech Republic (except for voting rights and rules of entry at airports).

The Czech Republic has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Act No. 326/1999 Coll., on the residence of foreigners in the territory of the Czech Republic, as amended. Consolidated version is available here: <https://www.zakonyprolidi.cz/cs/1999-326>.

Act No. 274/2021 Coll. amending Act No. 326/1999 Coll., on the residence of foreigners in the territory of the Czech Republic, as amended, and other related acts. Official version of the Act No. 274/2021 Coll. is available here: <https://aplikace.mvcr.cz/sbirka-zakonu/ViewFile.aspx?type=c&id=39187>.

#### b. Key legislative instruments adopted or amended in the reporting year

Act No. 274/2021 Coll. amending Act No. 326/1999 Coll., on the residence of foreigners in the territory of the Czech Republic, as amended, and other related acts. Consolidated version is available here: <https://www.zakonyprolidi.cz/cs/1999-326>. Official version of the Act No. 274/2021 Coll. is available here: <https://aplikace.mvcr.cz/sbirka-zakonu/ViewFile.aspx?type=c&id=39187>.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No publicly available guidance.

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	7 875
B	Number of residence applications made in the reporting year	1 142
B1	Number of in time residence applications made in the reporting year	1 142
B1a	Number of applications granted as pre-permanent residence	634
B1b	Number of applications granted as permanent residence	219
B1c	Number of applications refused	87
B1c1	Out of B1c, number of applications that were invalid	42
B1c2	Out of B1c, number of applications that were withdrawn by applicants	25
B1d	Total number of in time applications pending at the end of the reporting year	202
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available

C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In the Czech Republic, beneficiaries of the Withdrawal Agreement are not obliged to apply for a document identifying their frontier workers' rights. Such documents, however, exist and are only issued upon application.

The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued free of charge.

### a. Key legislative instruments implementing the Withdrawal Agreement

No legislation adopted.

### b. Key legislative instruments adopted or amended in the reporting year

No legislation adopted.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

[Brexit \(mps.v.cz\)](https://mps.v.cz)

[Summary information for the implementation of the Withdrawal Agreement \(mps.v.cz\)](https://mps.v.cz)

[Frequently Asked Questions \(mps.v.cz\)](https://mps.v.cz)

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

Please provide statistical data on:

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

## 3) Co-ordination of social security schemes

### a. Key legislative instruments implementing the Withdrawal Agreement

No legislation adopted.

### b. Key legislative instruments adopted or amended in the reporting year

No legislation adopted.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

[Brexit \(mps.v.cz\)](https://mps.v.cz)

[Summary information for the implementation of the Withdrawal Agreement \(mps.v.cz\)](https://mps.v.cz)

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

Unemployment benefits (*Portable Documents U1 and U2*)

U1 issued to UK - unavailable, number can only be found out from the receiving country i.e. UK

U1 received from UK for unemployment benefit in CZ - 385

U2:

Transfer of unemployment benefit to UK - 2

Transfer of unemployment benefit from UK - 10

### 4) Recognition of professional qualifications

#### a. Key legislative instruments implementing the Withdrawal Agreement

No specific national legislative instruments that implement the Withdrawal Agreement in the area of recognition of professional qualifications has been adopted. Based on the direct effect of the Withdrawal Agreement, the general law implementing Directive 2005/36/EC was applied.

In the case of medical and non-medical health professions, no changes in legislation were necessary to implement the withdrawal agreement. After Brexit and the end of the transitional period, the United Kingdom became a third country. Professional qualifications in the case of medical and non-medical health professions obtained after Brexit are recognized by the Ministry of Health of the Czech Republic in accordance with the national rules for the recognition of professional qualifications of third-country nationals obtained in the third countries – Title VIII of Act No. 96/2004 Coll., on non-medical health professions and Title VIII of Act No. 95/2004 Coll., on medical health professions (doctor, dentist and pharmacist).

Directive No. 2005/36/EC on the mutual recognition of professional qualifications was generally implemented into Czech legal regulations mainly through Act No. 18/2004 Coll., on the recognition of professional qualifications. Professional qualifications in the case of medical and non-medical health professions acquired before Brexit and the end of transitional period are recognized by the Ministry of Health of the Czech Republic in accordance with Directive No. 2005/36/EC on the mutual recognition of professional qualifications and national rules for the recognition of professional qualifications – Act No. 18/2004 Coll., on the recognition of professional qualifications. However, partial adjustment with regard to the specifics of non-medical health professions was carried out. The same rules are in force for medical health professions.

#### b. Key legislative instruments adopted or amended in the reporting year

No instruments were adopted during the reporting period.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

The public guidance has been provided on the website: <https://www.msmt.cz/eu-and-international-affairs/professional-qualifications-after-brexit>.

#### d. Key domestic jurisprudence from the reporting year

No key judgements related to the area of the Withdrawal Agreement were made during the reporting period.

#### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting	4
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	year	
A1	Number of applications granted	4
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

## **REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT**

# Denmark

## Report for 2021

### 1) Residence rights

Denmark operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications on 1 January 2021, and residence documents have been issued in the EU's uniform physical format form since then. Residence documents are issued free of charge.

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement is 31 December 2021.

Denmark has not put in place more favourable residence conditions.

In line with Article 24 (2) of Directive (EC) No 2004/38 Denmark derogates from the principle of equal treatment in Article 24 (1) of that Directive in relation to EU-citizens. Consequently the similar derogation in Article 23 (2) of the Withdrawal Agreement applies.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Executive Order no. 1700 of 23 November 2020 implementing certain provisions of the Withdrawal Agreement between the United Kingdom and the EU with regard to the right of entry, residence and work in Denmark <https://www.retsinformation.dk/eli/ta/2020/1700>.

#### b. Key legislative instruments adopted or amended in the reporting year

Denmark has adopted no specific legislative instruments.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance no 9207 of 5 March 2021 on the right of residence and work for United Kingdom nationals and their family members under the Withdrawal Agreement between the United Kingdom and the EU – <https://www.retsinformation.dk/eli/retsinfo/2021/9207>.

#### d. Key domestic jurisprudence from the reporting year

The Immigration Appeals Board is the administrative appeals authority in Denmark regarding appeals of decisions relating to immigration.

In 2021 the Immigration Appeals Board has made decisions on whether a United Kingdom national fulfilled the requirement to have exercised the right to reside in Denmark in accordance with EU rules on Free Movement before the end of the transition period (Article 10 (1)(b) of the Withdrawal Agreement).

Two decisions will be published in the Immigration Appeals Board's annual report of 2021 by the end of June 2022 (in Danish). Link to annual reports ([the Immigration Appeals Board's webpage](#)). The first case concerned a United Kingdom national who did not enter Denmark before the end of the transition period because of the covid-19 restrictions. The other case concerned whether a United Kingdom national had fulfilled the requirements as a worker under EU rules on Free Movement.

Furthermore, the Immigration Appeals Board has assessed cases in 2021 regarding the issuance of residence documents to family members of United Kingdom national. Three decisions will be published in the Immigration Appeals Board's annual report of 2021 by the end of June 2022 (in Danish).

### e. Statistical data

Please provide statistical data on:

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	19 000
B	Number of residence applications made in the reporting year	18 108
B1	Number of in time residence applications made in the reporting year	17 906
B1a	Number of applications granted as pre-permanent residence	4 743
B1b	Number of applications granted as permanent residence	12 230
B1c	Number of applications refused*	416
B1c1	Out of B1c, number of applications that were invalid	0
B1c2	Out of B1c, number of applications that were withdrawn by applicants**	138
B1d	Total number of in time applications pending at the end of the reporting year	770
B2	Number of late residence applications made in the reporting year	202
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	26
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	0
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	174
B2a1	Number of applications granted as pre-permanent residence	4
B2a2	Number of applications granted as permanent residence	19
B2a3	Number of applications refused	3
B2a3a	Out of B2a3, number of applications that were invalid	0
B2a3b	Out of B2a3, number of applications that were withdrawn by applicants***	2
B2d	Total number of late applications pending at the end of the reporting year	174
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement****	Data not available
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

\* Note that in situations of refusals due to lack of providing documentation, the first decision (the refusal) still figures in the statistics even though the applicant afterwards provides documentation resulting in granting of residence

\*\* Not included in B1c

\*\*\*Not included in B2a3

\*\*\*\* The Danish authorities do not currently collect data on visa applications with reference to the Withdrawal Agreement

## 2) Rights of employed and self-employed frontier workers

In Denmark, beneficiaries of the Withdrawal Agreement are obliged to apply for a document identifying their frontier workers' rights by 31 December 2021. Such documents must be issued upon application.

The frontier worker scheme opened for applications on 1 January 2021. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued free of charge.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Executive Order no. 1700 of 23 November 2020 implementing certain provisions of the Withdrawal Agreement between the United Kingdom and the EU with regard to the right of entry, residence and work in Denmark <https://www.retsinformation.dk/eli/Ita/2020/1700>.

#### b. Key legislative instruments adopted or amended in the reporting year

Denmark has adopted no specific legislative instruments.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance no 9207 of 5 March 2021 on the right of residence and work for United Kingdom nationals and their family members under the Withdrawal Agreement between the United Kingdom and the EU – <https://www.retsinformation.dk/eli/retsinfo/2021/9207>.

#### d. Key domestic jurisprudence from the reporting year

During 2021, the Immigration Appeals Board has made decision regarding employed frontier workers. The assessments concerned whether the applicants were frontier workers according to the Withdrawal Agreement or whether the work in Denmark only derived from Article 56 TFEU (freedom to provide services) as the applicants were considered posted workers.

A decision regarding an employed frontier worker can be found on the Immigration Appeals Board's webpage (in Danish) [here](#).

Another decision from January 2022, regarding a self-employed frontier worker will be published in the Immigration Appeals Board's annual report of 2021 by June 2022.

#### e. Statistical data

Please provide statistical data on:

A	Number of applications made in the reporting year	482
A1	Number of applications granted	235
A2	Number of applications refused	195
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants*	11
A3	Number of applications that are still pending at the end of the reporting year	41

\*Not included in A2

### 3) Co-ordination of social security schemes

#### a. Key legislative instruments implementing the Withdrawal Agreement

Denmark has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

#### b. Key legislative instruments adopted or amended in the reporting year

Denmark has adopted no specific legislative instruments.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Administrative guidance note No. 10 020 of 18 December 2020 on social benefits and social security benefits for citizens covered by the Withdrawal Agreement. The text is available in Danish [here](#).

Administrative guidance note No. 9 033 of 27 January 2021 on the right to Danish Unemployment Benefits for members of Danish Unemployment Insurance Funds covered by the Withdrawal Agreement (Brexit). The text is available in Danish [here](#).

#### d. Key domestic jurisprudence from the reporting year

There are no key domestic judgments in this area.

#### e. Statistical data

Unfortunately, due to the nature of the data sets available, it is not possible to provide distinguish social security cases falling under the Withdrawal Agreement from cases falling under the Trade and Cooperation Agreement. This means that the statistical information may also include cases treated according to the Trade and Cooperation Agreement.

##### - *Applicable legislation (Portable Document A1)*

Number of Postings from Denmark to United Kingdom in 2021 under Article 11 of Regulation (EC) No 883/2004, number of decisions according to Article 12 where United Kingdom has figured as a country of work, and exemption agreements between Denmark and United Kingdom according to Article 16.

Articles in Regulation (EC) No 883/2004	Number of Portable Document PD A1, 2021
Article 11	224
Article 12	13 729
Article 16	10

For the year 2021 the competent Danish institution is not able to distinguish between persons who fall within the personal scope of the Withdrawal Agreement and the Trade and Cooperation Agreement.

##### - *Cross-border health care (EHIC, Portable Documents S1 and S2)*

With regard to statistical data on cross-border healthcare provided on the basis of the EHIC and the Portable Documents S1 and S2, we can inform you that Denmark has a waiver agreement with the United Kingdom on the reimbursement of the costs of benefits in kind. This agreement also applies for cases which fall under the Withdrawal Agreement. Therefore, statistical data on the costs of benefits in kind provided in Denmark and the United Kingdom are not registered.

#### Data on the use of the EHIC – Reference Year 2021

On the use of the EHIC and the number of requests for reimbursement rates i.e. situations where insured persons have asked for reimbursement after returning home to their country of residence, we can provide the following data on the exchange of SEDs S067 (request for reimbursement rates - stay) between Denmark and the United Kingdom:

Number of SEDs S067 DK <i>received</i> from the United Kingdom to establish the amount to be reimbursed to United Kingdom insured persons covered under the Withdrawal Agreement	3*
Number of SEDs S067 DK has <i>issued</i> to the United Kingdom in order to establish the amount to be reimbursed to Danish insured persons	5**

\* The provided data only include requests for reimbursement rates (SEDs S067) received between 1 January and 5 December 2021. From 6 December 2021 the Danish regional authorities have been using EESSI, and SEDs S067 have been exchanged directly between the Danish regional authorities and the United Kingdom authorities. Data on the number of SEDs S067 received between 6 December and 31 December 2021 are not included.

\*\*For the year 2021 we are not able to distinguish between reimbursement requests which fall under the Withdrawal Agreement and requests under the Trade and Cooperation Agreement.

#### Data on the use of PDs S1 – Reference Year 2021

On the use of PDs S1 between 1 January and 31 December 2021 we can provide the following data on the number of PDs S1 issued to persons residing in the UK:



	Number of PDs S1 issued
Insured persons	84*
Family members of insured persons	3

\* For the year 2021 the competent Danish institution is not able to distinguish between persons who fall within the personal scope of the Withdrawal Agreement and persons insured pursuant to the Trade and Cooperation Agreement. However, the competent Danish institution has informed that a new electronic case handling system is to be installed in 2023 which may improve the registration and collection of data.

Furthermore, data on the number of Danish pensioners and family members of Danish pensioners registered in the UK on the basis of a PD S1 issued by Denmark cannot be provided within the deadline of the data collection related to the Withdrawal Agreement.

### Data on the use of PDs S2 – Reference Year 2021

Data on the use of the PDs S2 have to be collected from several Danish authorities, including the regional authorities and all municipalities. As the collection of data on the use of PDs S2 for the yearly statistical data collection in the framework of the Administrative Commission is scheduled for June 2022, statistical data on the number of PDs S2 issued and received pursuant to the Withdrawal Agreement cannot be produced in advance of the data collection for the Administrative Commission.

#### - Pensions

Benefits granted to applicants living in United Kingdom

	Old-age pension	Survivors' pension	Invalidity pension	Total
United Kingdom	70		3	74

For the year 2021 the competent Danish institution is not able to distinguish between persons who fall within the personal scope of the Withdrawal Agreement and the Trade and Cooperation Agreement.

Benefits rejected to applicants living in United Kingdom

	Old-age pension	Survivors' pension	Invalidity pension	Total
United Kingdom	63		2	66

For the year 2021 the competent Danish institution is not able to distinguish between persons who fall within the personal scope of the Withdrawal Agreement and the Trade and Cooperation Agreement.

Recipients of Danish Pension Benefits living in the United Kingdom

	Old-age pension		Survivors' pension		Invalidity pension		Total	
	Number of persons	Amount paid (in EUR)	Number of persons	Amount paid (in EUR)	Number of persons	Amount paid (in EUR)	Number of persons	Amount paid (in EUR)
United Kingdom	2 963	15 086 767			405	6 460 485	3 368	21 547 252

For the year 2021 the competent Danish institution is not able to distinguish between persons who fall within the personal scope of the Withdrawal Agreement and the Trade and Cooperation Agreement.

#### - Unemployment benefits (Portable Documents U1 and U2)

Aggregations of periods in case of unemployment, 2021

State of previous employment	Received Portable Document PD U1
United Kingdom	36

For the year 2021 the competent Danish institution is not able to distinguish between persons who fall within the personal scope of the Withdrawal Agreement and the Trade and Cooperation Agreement.

Export of unemployment benefits from Denmark to the United Kingdom, 2021

Receiving State	Portable Document PD U2
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For the year 2021 the competent Danish institution is not able to distinguish between persons who fall within the personal scope of the Withdrawal Agreement and the Trade and Cooperation Agreement.

- *Family benefits*

Number of persons entitled to a family benefit for members of the family residing in another Member State (DK) than the reporting Member State (DK), number of family members involved and total related expenditure on the export of family benefits (in EUR)

Type of family benefit:	Number of entitled persons	Number of family members involved	Total expenditure (in EUR)
Child benefit	86	201	148 440
Child and youth allowance	462	780	967 849
Child support	12	22	40 054

Number of persons entitled to a family benefit for members of the family residing in another Member State (UK) than the reporting Member State (DK), number of family members involved and total related expenditure on the export of family benefits (in EUR): Breakdown by primarily or secondarily competent.

	<i>Reporting Member State (DK)</i>					
	<b>Primarily competent</b>			<b>Secondarily competent</b>		
	<i>Number of entitled persons</i>	<i>Number of family members involved</i>	<i>Total expenditure (in EUR)</i>	<i>Number of entitled persons</i>	<i>Number of family members involved</i>	<i>Total expenditure (in EUR)</i>
Child benefit	76	178	127 078	11	23	21 362
Child and youth allowance	394	673	853 712	105	172	114 137
Child support	11	19	38 890	1	3	1 164

Number of persons entitled to a family benefit for members of the family residing in another Member State (UK) than the reporting Member State (DK), number of family members involved and total related expenditure on the export of family benefits (in EUR): Breakdown by status of the person.

	<i>Reporting Member State (DK)</i>					
	<b><i>Cross-border workers</i></b>			<b><i>Other mobile persons</i></b>		
	<i>(persons who work in a Member State other than the Member State where they and their children reside)</i>			<i>(persons who reside in a Member State other than the Member State of residence of the child(ren))</i>		
<i>Number of entitled persons</i>	<i>Number of family members involved</i>	<i>Total expenditure (in EUR)</i>	<i>Number of entitled persons</i>	<i>Number of family members involved</i>	<i>Total expenditure (in EUR)</i>	

Child benefit	8	14	19 260	78	187	129 179
Child and youth allowance	59	105	119 568	403	678	848 281
Child support	2	5	3 105	10	17	36 950

#### 4) Recognition of professional qualifications

##### a. Key legislative instruments implementing the Withdrawal Agreement

Denmark has adopted no specific national legislative instruments that implements the Withdrawal Agreement in the area of recognition of professional qualifications. Its rules apply directly.

##### b. Key legislative instruments adopted or amended in the reporting year

Denmark has adopted no specific national legislative instruments in the area of recognition of professional qualifications. Its rules apply directly.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

In the area of professional qualifications Denmark has provide public guidance on the implementations of the Withdrawal Agreement – <https://ufm.dk/uddannelse/anerkendelse-og-dokumentation/lovregulerede-erhverv/brexit/brexit> (Danish webpage) and <https://ufm.dk/en/brexit> (English webpage).

##### d. Key domestic jurisprudence from the reporting year

In Denmark there have been no key domestic judgments related to recognition of professional qualifications in relation to the Withdrawal Agreement.

##### e. Statistical data

Denmark has no available statistical data regarding the number of recognitions of professional qualifications under Article 28 of the Withdrawal Agreement made in the reporting year.

## REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

# Germany

## Report for 2021

### 1) Residence rights

Germany operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on or before 1 January 2021. Residence documents have been issued in the EU's uniform physical format form since the beginning of 2021. Residence documents are issued for a charge of 37 EUR.

United Kingdom nationals are obliged to register as Withdrawal Agreement beneficiaries.

Third-country family members of United Kingdom nationals are not obliged to register as Withdrawal Agreement beneficiaries, if they already held a residence document as a third-country national of a Union citizen before the end of

the transition period. In other cases, they are obliged to register. In any case, they have to participate in the issuance of the new document issued according to the Withdrawal Agreement, in particular by providing biometrics to that end.

United Kingdom nationals were not vested with old residence documents issued under EU law on free movement of EU citizens, because Germany generally does not issue such documents to Union citizens, so they receive documents issued according to the Withdrawal Agreement. Formerly issued certificates confirming long-term residence as Union citizens are not valid anymore for United Kingdom nationals.

Germany has not put in place more favourable residence conditions.

Germany has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

### a. Key legislative instruments implementing the Withdrawal Agreement

Key legislative instruments implementing this area of the Withdrawal Agreement are:

- [Section 16 Freizügigkeitsgesetz/EU](#)
- [Section 11 subsections 3,4, and 10 to 12 Freizügigkeitsgesetz/EU](#)
- [Section 1 subsection 2 no. 6 Freizügigkeitsgesetz/EU](#)
- [Section 59 subsections 2, 8 and 9 Aufenthaltsverordnung](#)
- [Section 47 subsection 3 Aufenthaltsverordnung](#)
- [Last four pictures in Annex D14a of the Aufenthaltsverordnung](#)

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Administrative guidelines to the application of the Withdrawal Agreement, [Version 2.0](#).

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	Data not available
B	Number of residence applications made in the reporting year	
B1	Number of in time residence applications made in the reporting year	
B1a	Number of applications granted as pre-permanent residence	37 949
B1b	Number of applications granted as permanent residence	
B1c	Number of applications refused	
B1c1	Out of B1c, number of applications that were invalid	Data not available
B1c2	Out of B1c, number of applications that were withdrawn by applicants	
B1d	Total number of in time applications pending at the end of the reporting year	
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	
C1	Number of entry visas granted	Data not available
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In Germany, beneficiaries of the Withdrawal Agreement are obliged to apply for a document identifying their frontier workers' rights within due course. Such documents must be issued upon application.

The frontier worker scheme opened for applications on 1 January 2021 at the latest. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued for a charge of 37 EUR.

a. Key legislative instruments implementing the Withdrawal Agreement

Included in answer 1 a.

b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Included in answer 1 c.

d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

e. Statistical data

A	Number of applications made in the reporting year	Data not available
A1	Number of applications granted	174
A2	Number of applications refused	Data not available
A2a	Out of A2, number of applications that were invalid	
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	

### 3) Co-ordination of social security schemes

a. Key legislative instruments implementing the Withdrawal Agreement

No legislation needed as the Withdrawal Agreement is directly applied by the German authorities and institutions.

b. Key legislative instruments adopted or amended in the reporting year

No such instruments adopted in the reporting year.

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Information for guidance on relations with the United Kingdom, including the Withdrawal Agreement are available on the website of the Federal Ministry of Labour and Social Affairs [here](#) and Frequently Asked Questions (FAQ) on relations with the United Kingdom can be found [here](#). An English version is also available [here](#). For FAQ in English reference is made to the Questions and Answers on the United Kingdom's withdrawal from the European Union on 31 January 2020 on the website of the European Commission [here](#).

Information for guidance about the Withdrawal Agreement is available on the website of the German Liaison Agency Health Insurance – International of the GKV-Spitzenverband [here](#). A chapter of this information, namely United Kingdom nationals in Germany, can be found in English [here](#).

Information for guidance about the Withdrawal Agreement is available on the website of the German Pension Insurance [here](#) and FAQ can be found [here](#). Some information about the Withdrawal Agreement are also available in English [here](#).

Information for guidance about the Withdrawal Agreement is available on the website of the German Social Accident Insurance [here](#) and FAQ can be found [here](#). An English version of the information for guidance is available [here](#) and the FAQ [here](#).

Information for guidance including FAQ about the Withdrawal Agreement is available on the website of the Federal Employment Agency [here](#). An English version of the information and FAQ is also available [here](#).

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

##### - Applicable legislation (*Portable Document A1*)

Note :

1. In Germany, PDA1 are issued by several institutions. As the data they have reported is not coherent and the questionnaire is not precise about what exact data is requested here, we forward all data received.
2. It is not possible to distinguish cases falling under the WA from cases falling under the TCA. The data indicated below therefore also includes equivalent cases covered by the TCA.

- *Health Insurance Providers/ German Liaison Agency Health Insurance - International* (reference year 2021):
  - o Determination of the applicable legislation (Article 13 of Regulation (EC) 883/04) : **2 688** (irrespective of the determined legislation, thus not obligatory = issued A1 certificate from DE)
  - o Notification of applicable legislation for Article 12 of Regulation (EC) 883/04: **15 760**
  - o Notification of applicable law for Article 11(3)(b), (c), (d), Article 11(4), Article 11(5), Article 15 of Regulation (EC) 883/04: **403**
- Association of pension schemes for liberal professions (reference year 2021):
  - o A1 certificates issued for postings to the United Kingdom: **129**
- Pension Insurance (reference year 2021):
  - o Employees in the private sector, civil servants, mariners (without self-employed persons):
    - Digital applications: **2 761**
    - Application granted: **2 370**
    - Application refused: **103**
    - Application in progress: **107**
    - Applications cancelled: **181**
  - o Additional comment: Paper applications that could still be submitted in 2021 (mainly applications by self-employed persons) are not included in the list.
- *Cross-border health care (EHIC, Portable Documents S1 and S2)*
  - *Health Insurance / German Liaison Agency Health Insurance - International* (reference year 2021):
    - o Note:
      1. German EHICs are on the backside of the national health insurance card. It is therefore not possible to state how many EHICs have been issued with the aim of being used in the UK.
      2. It is not possible to distinguish the statistical data by the Withdrawal Agreement and Trade and Cooperation Agreement.
    - o Person without entitlement certificate / Request by institution in Member State of residence: **865**
    - o Necessary treatment in Member State of temporary stay /request for entitlement certificate **1 746**
    - o Request for consent in the Member State of residence: **2**
    - o Total: **2 613**
    - o Request for entitlement document - residence: **255**
    - o Entitlement document - residence: **88**
    - o Information of registration - residence: **154**
    - o Request for entitlement document - scheduled treatment outside Member State of residence: **1**
    - o Total: **498**

- *Accident Insurance / German Social Accident Insurance* (reference year 2021):
  - o (New) Cases of benefit in kind assistance in Germany: **25**
  - o (New) Cases of benefit in kind assistance in the United Kingdom: **3**

- **Pensions**

*Additional comment: The figures refer to the reference year 2020, as more recent statistical data is not available yet. It is not possible to distinguish the statistical data by the Withdrawal Agreement and Trade and Cooperation Agreement.*

- German nationals receiving an invalidity pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **1 512 / 744.68**
- German nationals receiving an old-age pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **29 379 / 997.39**
- German nationals receiving a survivor's pension in Germany with reference to the United Kingdom as a contracting country (number): **4 802**
- German nationals receiving an invalidity pension in the United Kingdom with reference to the United Kingdom as a contracting country (number / average in EUR): **87 / 740.51**
- German nationals receiving an old-age pension in in the United Kingdom with reference to the United Kingdom as a contracting country (number / average in EUR): **5 712 / 415.63**
- German nationals receiving a survivor's pension in in the United Kingdom with reference to the United Kingdom as a contracting country (number): **1 286**
- United Kingdom nationals receiving an invalidity pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **803 / 670.46**
- United Kingdom nationals receiving an old-age pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **11923 / 899.47**
- United Kingdom nationals receiving a survivor's pension in Germany with reference to the United Kingdom as a contracting country (number): **2 783**
- United Kingdom nationals receiving an invalidity pension in the United Kingdom with reference to the United Kingdom as a contracting country (number / average in EUR): **76 / 684.45**
- United Kingdom nationals receiving an old-age pension in in the United Kingdom with reference to the United Kingdom as a contracting country (number / average in EUR): **10 574 / 307.83**
- United Kingdom nationals receiving a survivor's pension in in the United Kingdom with reference to the United Kingdom as a contracting country (number): **1 541**
- Other nationals receiving an invalidity pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **106 / 523.76**
- Other nationals receiving an old-age pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **1 666 / 794.77**
- Other nationals receiving a survivor's pension in Germany with reference to the United Kingdom as a contracting country (number): **331**
- Other nationals receiving an invalidity pension in the United Kingdom with reference to the United Kingdom as a contracting country (number / average in EUR): **7 / 502.08**
- Other nationals receiving an old-age pension in in the United Kingdom with reference to the United Kingdom as a contracting country (number / average in EUR): **1 058 / 191.30**
- Other nationals receiving a survivor's pension in in the United Kingdom with reference to the United Kingdom as a contracting country (number): **295**
- Unknown nationals / Non-citizens receiving an invalidity pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **2 / 786.97**
- Unknown nationals / Non-citizens receiving an old-age pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **18 / 763.62**
- Unknown nationals / Non-citizens receiving a widow's/widower pension in Germany with reference to the United Kingdom as a contracting country (number): **19**

- Unknown nationals / Non-citizens receiving an old-age pension in in the United Kingdom with reference to the United Kingdom as a contracting country (number / average in EUR): **85 / 204.18**
- Unknown nationals / Non-citizens receiving a widow's/widower pension in in the United Kingdom with reference to the United Kingdom as a contracting country (number): **106**
- All nationals:
  - o receiving an invalidity pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **2 423 / 710.45**
  - o receiving an old-age pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **42 986 / 962.28**
  - o receiving a widower's pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **7 152 / 572.76**
  - o receiving an orphan's pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **783 / 176.04**
  - o receiving an invalidity pension in in the United Kingdom with reference to the United Kingdom as a contracting country (number / average in EUR): **170 / 705.63**
  - o receiving an old-age pension in the United Kingdom with reference to the United Kingdom as a contracting country (number / average in EUR): **17 429 / 335.58**
  - o receiving a widower's pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **3 050 / 300.32**
  - o receiving an orphan's pension in Germany with reference to the United Kingdom as a contracting country (number / average in EUR): **178 / 117.36**
- **Unemployment benefits (*Portable Documents U1 and U2*)**
  - PD U1:
    - o Number of recent migrant workers who became unemployed in the reference year 2021 and received unemployment benefits in DE on the basis of periods completed in UK and where the length of previous insurance, employment or self-employment completed by those workers in DE before their application for unemployment benefits is
      - less than one month (30 days): **6**
      - more than one month (30 days), but less than three months (90 days): **16**
      - three months or more (90 days or more): **92**
      - total: **114**
  - PD U2: *Unfortunately, it is not yet possible to collect country-specific data.*
- **Family benefits**
  - Export of child benefits for one of the persons working and or residing in Germany but child(ren) residing in the UK (number of family members involved, reference year 2020): **274**

## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

In general, in Germany no changes in legislation were necessary to implement the Withdrawal Agreement.

### b. Key legislative instruments adopted or amended in the reporting year

In 2020 the tax advisory act was reformed. The authority to provide mutual and occasional assistance in tax matters for persons and institutions located in GB, § 3a StBerG, was not longer applicable and there revoked ([BGBl. I 2020, 3096](#)).

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Information on the Withdrawal Agreement is available in English [here](#) .



#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	90* (60)**
A1	Number of applications granted	87* (66)**
A2	Number of applications refused	6* (0)**
A2a	Out of A2, number of applications that were invalid	3* (0)**
A2b	Out of A2, number of applications that were withdrawn by applicants	3* (0)**
A3	Number of applications that are still pending at the end of the reporting year	9* (3)**

- \* number of applications in 2020 for all regulated professions (incl. sector professions; architects not included),
- \*\* for sector professions (automatic recognition; architects not included),

Data from the official statistics pursuant to § 17 of the Federal Professional Qualifications Assessment Act (BQFG) or pursuant to the respective laws governing the professions which refer to § 17 BQFG, data for 2021 not yet available.

## **REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT**

# Estonia

## Report for 2021

### 1) Residence rights

Estonia operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on 1 December 2020. Residence documents have been issued in the EU's uniform physical format form since 1 January 2021. Residence documents are issued for a state fee 25 EUR for temporary right of residence and free of charge for permanent right of residence.

Third-country family members of United Kingdom nationals are obliged to apply for a residence document attesting their new residence status in case of expiration of current documents or in case of travel.

United Kingdom nationals are able to use their old residence documents issued under EU law on free movement of EU citizens until up to the end of the period of validity.

Estonia has put in place more favourable residence conditions, allowing United Kingdom nationals' family members to join and reside in Estonia in the same conditions as United Kingdom nationals belonging to the Withdrawal Agreement.

Estonia has made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement allowing school pupils and students to apply study allowances and scholarship and to receive a doctoral allowance. State study loan can be applied only by United Kingdom national, who resides in Estonia on the basis on permanent right of residence.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Citizen of the European Union Act. Consolidated version is available [here](#).

#### b. Key legislative instruments adopted or amended in the reporting year

There have been no changes in the legislation.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Webpage of the Ministry of the Interior: <https://www.siseministeerium.ee/en/brexit>.

#### d. Key domestic jurisprudence from the reporting year

There was no jurisprudence during the reporting year.

#### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	1 500
B	Number of residence applications made in the reporting year	524*
B1	Number of in time residence applications made in the reporting year	524
B1a	Number of applications granted as pre-permanent residence	323
B1b	Number of applications granted as permanent residence	195
B1c	Number of applications refused	4
B1c1	Out of B1c, number of applications that were invalid	4
B1c2	Out of B1c, number of applications that were withdrawn by applicants	0
B1d	Total number of in time applications pending at the end of the reporting year	4
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

\* the number contains United Kingdom nationals only and data includes all applications made since 1 December 2020.

\*\* unfortunately, it is not possible to divide data of family members of the beneficiaries of the Withdrawal Agreement. Beneficiaries of the Withdrawal Agreement may enter Estonia using visa-free movement and apply right of residence directly in Estonia.

## 2) Rights of employed and self-employed frontier workers

In Estonia, beneficiaries of the Withdrawal Agreement are obliged to apply for a document identifying their frontier workers' right. Such documents will be issued upon application in accordance with the Withdrawal Agreement.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Citizen of the European Union Act. Consolidated version is available [here](#).

### b. Key legislative instruments adopted or amended in the reporting year

There have been no changes in the legislation.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Webpage of the Ministry of the Interior: <https://www.siseministeerium.ee/en/brexit>.

### d. Key domestic jurisprudence from the reporting year

There was no jurisprudence during the reporting year.

### e. Statistical data

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

## 3) Co-ordination of social security schemes

### a. Key legislative instruments implementing the Withdrawal Agreement

No special instruments were adopted. All benefits are regulated by relevant Acts regulating Social Security Benefits. The Acts are listed in EC webpage as Declarations of Member States in accordance with Article 9 of Regulation (EC) No 883/2004: <https://ec.europa.eu/social/main.jsp?catId=868&intPageId=2285&langId=en>.

### b. Key legislative instruments adopted or amended in the reporting year

No amendments linked to the Withdrawal Agreement.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Webpage of the Social Insurance Board:

<https://www.sotsiaalkindlustusamet.ee/en/family-child-protection/payment-estonian-family-benefits-european-union-and-elsewhere-world>

### d. Key domestic jurisprudence from the reporting year

There was no jurisprudence during the reporting year.

### e. Statistical data

It is not possible to provide data in relation of the implementation of the Withdrawal Agreement.

- Applicable legislation (*Portable Document A1*). This is the A1 issued where there is a link to UK:

01.02.2020 - 14.12.2021	PD A1
Civil servant	6
Posted employed person	1
Employed, working in two or more States	144
Self-employed, working in two or more States	1

Working as an employed person and as a self-employed person in different States	1
<b>TOTAL</b>	<b>153</b>
Valid on 14.12.2021	143

<b>Citizenship</b>	<b>NR</b>
Albaania Vabariik	2
EE	140
Not specified	2
RO	1
FI	1
UK	1
UA	4
RU	2
<b>All together</b>	<b>153</b>

#### 4) Recognition of professional qualifications

##### a. Key legislative instruments implementing the Withdrawal Agreement

Recognition of Foreign Professional Qualifications Act. Consolidated version is available [here](#).

##### b. Key legislative instruments adopted or amended in the reporting year

There have been no changes in the legislation.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

There was no need for additional administrative documents. Information about recognition of foreign professional qualification can be found on the Education and Youth Board website (EE ENIC/NARIC Centre): <https://harno.ee/en/development-and-qualifications/qualifications/professional-recognition>.

##### d. Key domestic jurisprudence from the reporting year

There was no jurisprudence during the reporting year.

##### e. Statistical data

Please provide statistical data on:

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

# **REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT**

## **Greece**

### **Report for 2021**

#### **1) Residence rights**

Greece operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on 1 January 2021. Residence documents have been issued in the EU's uniform physical format form since 1 January 2021. Residence documents are issued for a charge of 16 EUR.

United Kingdom nationals are not obliged to register as Withdrawal Agreement beneficiaries. Such document must be issued upon voluntary application.

United Kingdom nationals are able to use their old residence documents issued under EU law on free movement of EU citizens for their transactions with the Public Sector for administrative procedures, as proof of their previous status as mobile EU citizens in Greece. Please note that United Kingdom nationals, who hold old residence documents, issued under EU law and proceed to their application for the residence document under the Withdrawal Agreement, submit these documents to the competent police Authorities as documentation and as a result, they cease to hold them.

Greece has not put in place more favourable residence conditions.

Greece has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

##### **a. Key legislative instruments implementing the Withdrawal Agreement**

Law 4652/2020 for arrangements for the withdrawal of the United Kingdom from the European Union and other provisions (Government Gazette A ' 9/ 23-01-2020), as it has been amended by Law 4686/2020 (Government Gazette A ' / 12-05-2020).

Joint Ministerial Decree of Ministers of Citizen Protection and Migration and Asylum 4000/1/113-a'/14-10-2020, for the definition of the competent authorities for issuance of residence documents, for United Kingdom nationals and their family members, as well as specific issues for the implementation of the Withdrawal Agreement of the United Kingdom from the European Union. (Government Gazette B ' 4610/ 19-10-2020).

##### **b. Key legislative instruments adopted or amended in the reporting year**

No such instruments in the reporting year.

##### **c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

There are useful information on the implementation of the Withdrawal Agreement in Greece in the Greek Brexit website in the link: <https://brexit.gov.gr/>, as well as in the websites of Hellenic Police in the link: [http://www.astynomia.gr/index.php?option=ozo\\_content&perform=view&id=98268&Itemid=133&lang=EN](http://www.astynomia.gr/index.php?option=ozo_content&perform=view&id=98268&Itemid=133&lang=EN) (for United Kingdom nationals) and of Ministry of Migration and Asylum : <https://migration.gov.gr/en/migration-policy/metanasteusi-stin-ellada/brexit/> (for third country nationals family members).

##### **d. Key domestic jurisprudence from the reporting year**

No such jurisprudence in the reporting year.

### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	34 000
B	Number of residence applications made in the reporting year	17 100
B1	Number of in time residence applications made in the reporting year	17 100
B1a	Number of applications granted as pre-permanent residence	6 336
B1b	Number of applications granted as permanent residence	10 650
B1c	Number of applications refused	7
B1c1	Out of B1c, number of applications that were invalid	70
B1c2	Out of B1c, number of applications that were withdrawn by applicants	7
B1d	Total number of in time applications pending at the end of the reporting year	30
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

### a. Key legislative instruments implementing the Withdrawal Agreement

Greek legislation concerning frontier workers is currently drafted by the relevant Greek authorities.

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Number of applications made in the reporting year	Data not available
A1	Number of applications granted	
A2	Number of applications refused	
A2a	Out of A2, number of applications that were invalid	
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	

## 3) Co-ordination of social security schemes

### a. Key legislative instruments implementing the Withdrawal Agreement

Law 4652/2020: National legislation on rights of United Kingdom nationals in Greece and other issues related to Brexit. The text is available here: <https://www.e-nomothesia.gr/kat-allodapoi/nomos-4652-2020-phek-9a-23-1-2020.html>.

### b. Key legislative instruments adopted or amended in the reporting year

Ministerial Decree regarding the terms of medical treatment for United Kingdom nationals who are beneficiaries of the Withdrawal Agreement. The text is available here: <https://www.e-nomothesia.gr/kat-ygeia/perithalipse/koine-upourgike-apophase-eale-gp-5818-2021.html>.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Information concerning access of United Kingdom nationals to medical treatment during their temporary stay in Greece, using different forms of the EHIC card and United Kingdom nationals with permanent residency in Greece, holders of S1 form who have obtained AMKA. The text is available here: <https://www.eopyy.gov.gr/article/56c3a392-a525-4ee3-81da-59fa74d51eae>.

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

*Reimbursement claims and amounts for persons registered in your country with a PD S1 (or former E106, E109, E120 and E121 forms – i.e. insured persons residing abroad) who received sickness benefits in kind. Number of claims issued and refunds received (Creditor) (in EUR), calendar year 2020 – Reporting Member State = Creditor*

Competent Member State (Debtor)	Actual expenditure		Fixed amounts		Total	
	Number of claims issued (E125)	Refunds received (in EUR)	Number of claims issued (E127)	Refunds received (in EUR)	Number of claims	Refunds received (in EUR)
United Kingdom	4 330	6 058 158.01			4 330	6 058 158.01

*Number of persons receiving sickness benefits during their stay in another Member State. Number of received claims and amount paid in 2020 (Debtor) (in EUR)*

Member State of stay	E125 received		E126 issued		Claims not verified by E126*		Total		% of cross-border expenditure compared to total health expenditure
	Number of forms	Amount paid (in EUR)	Number of forms	Amount paid (in EUR)	Number of claims	Amount paid (in EUR)	Number of forms and claims	Amount paid (in EUR)	
United Kingdom	448	524 129.98	0	0.00			448	524 129.98	

\* Concerns cases that are handled in line with the procedures described in Article 25(6) and (7) of Regulation (EC) No 987/2009

**Reporting country = competent country (DEBTOR)**

Member State of stay	E125 received		E126 issued		Claims not verified by E126*		Total		% of cross-border expenditure compared to total health expenditure
	Number of forms	Amount claimed (in EUR)	Number of forms	Amount paid (in EUR)	Number of claims	Amount paid (in EUR)	Number of forms and claims	Amount paid (in EUR)	
United Kingdom	448	739 861.68							

*Reimbursement claims and amounts for persons to whom you issued a PD S1 (or former E106, E109, E120 and E121 forms – insured persons residing abroad), who received sickness benefits in kind in their current country of residence. Number of claims received and refunds paid (Debtor) (in EUR), calendar year 2020 – Reporting Member State = Debtor*

Member State of residence (Creditor)	Actual expenditure		Fixed amounts		Total	
	Number of claims received (E125)	Refunds paid (in EUR)	Number of claims received (E127)	Refunds paid (in EUR)	Number of claims	Refunds paid (in EUR)
United Kingdom	2	1 590.93	39	148 515.59	41	150 106.52

Conversion rates were calculated on [https://ec.europa.eu/info/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-infoeuro\\_en](https://ec.europa.eu/info/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-infoeuro_en) with reference year 2020, month 12.

#### 4) Recognition of professional qualifications

##### a. Key legislative instruments implementing the Withdrawal Agreement

No legislation is required as the Withdrawal Agreement is directly applied by the national authorities and institutions.

##### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

##### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	Data not available
A1	Number of applications granted	
A2	Number of applications refused	
A2a	Out of A2, number of applications that were invalid	
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	



# REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

## Spain

### Report for 2022

#### 1) Residence rights

Spain operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on the 6 July 2020. Residence documents have been issued in the EU's uniform physical format form since the 6 July 2020. Residence documents are issued for a charge of 12 EUR.

United Kingdom nationals are not obliged to register as Withdrawal Agreement beneficiaries. Such document must be issued upon voluntary application.

United Kingdom nationals are able to use their old residence documents issued under EU law on free movement of EU citizens.

Spain has not put in place more favourable residence conditions.

Spain has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

##### a. Key legislative instruments implementing the Withdrawal Agreement

The key legislative instrument implementing the application of the Withdrawal Agreement is the resolution signed by the Director General of Migrations and the Director General of the Police, resolution of 2 July 2020. You can find the Spanish version here: <https://www.boe.es/boe/dias/2020/07/04/pdfs/BOE-A-2020-7276.pdf>.

A courtesy English translation of the resolution is available here: <https://www.inclusion.gob.es/ficheros/brexit/Instruccion-conjunta-Brexit-residencia-EN-.pdf>.

Spain has opted for this second option. Applying for this new residence document is not compulsory for those who already have registration certificates or family member cards of EU citizens. These documents serve also to prove legal residence in Spain and to benefit from the provisions of the Withdrawal Agreement. However, obtaining the new residence document is highly recommended.

##### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance about the rights of the United Kingdom nationals and their family members residing in Spain can be found at the Ministry's website: <https://www.inclusion.gob.es/en/brexit/residencia/index.htm>.

Moreover, a guide with the FAQ about the situation of the United Kingdom nationals and their family members residing in Spain has been made. It has been recently updated (9 February 2022). Consolidated version of the guide is available [here: https://www.inclusion.gob.es/ficheros/brexit/GUIA-BREXIT-ES.pdf](https://www.inclusion.gob.es/ficheros/brexit/GUIA-BREXIT-ES.pdf).

A courtesy English translation of the original guide dated 30 December 2020 (not the current version) is available here: [https://www.inclusion.gob.es/ficheros/brexit/guia\\_brexit\\_2020\\_en.pdf](https://www.inclusion.gob.es/ficheros/brexit/guia_brexit_2020_en.pdf).

In addition to this, Spanish authorities have worked - and continue working closely - with the United Kingdom Embassy in Madrid. Thanks to this cooperation, the Spanish authorities have produced a number of joint videos and

have also shared various joint messages in order to improve confidence and to provide security to United Kingdom nationals and their family members living in Spain. The Spanish authorities also have shared information via the “tripartite labour commission of immigration” with trade unions and business organisations.

#### d. Key domestic jurisprudence from the reporting year



sentencia  
desestimatoria PA35



SENTENCIA PA 468  
2021 JCA 3.pdf



PA\_137\_2021\_Art 50  
TUE.PDF

There have been several judicial pronouncements about Brexit. Some are about the need to prove residence before the end of the transition period. United Kingdom nationals have applied to be documented as beneficiaries of the Withdrawal Agreement not having resided in Spain complying the requirements set in the Withdrawal Agreement, hence, judges are resolving that they are not eligible to be treated as beneficiaries of the Withdrawal Agreement. Some of the judicial resolutions are about having lived in Spain not having a medical insurance as required by European Law, in which cases the requirements to be treated as beneficiaries of the Withdrawal Agreement are not met.

#### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	431 390
B	Number of residence applications made in the reporting year	13 628
B1	Number of in time residence applications made in the reporting year	Not applicable
B1a	Number of applications granted as pre-permanent residence	Data not available
B1b	Number of applications granted as permanent residence	8459
B1c	Number of applications refused	334
B1c1	Out of B1c, number of applications that were invalid	Data not available
B1c2	Out of B1c, number of applications that were withdrawn by applicants	
B1d	Total number of in time applications pending at the end of the reporting year	623
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In Spain, beneficiaries of the Withdrawal Agreement are not obliged to apply for a document identifying their frontier workers' rights. Such documents must be issued upon application.

The frontier worker scheme opened for applications in December 2020. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued for a charge of 12 EUR.

#### a. Key legislative instruments implementing the Withdrawal Agreement

The instrument implementing this area of the Withdrawal Agreement is the administrative instruction agreed by the Director General of Migrations and the Director General of the Police. The Spanish version can be found here – [https://www.inclusion.gob.es/ficheros/brexit/brexit\\_instruccion\\_conjunta.pdf](https://www.inclusion.gob.es/ficheros/brexit/brexit_instruccion_conjunta.pdf).

#### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance about this area of the Withdrawal Agreement can be found at the Ministry's website: [https://www.inclusion.gob.es/es/brexit/residencia/br\\_fronterizos/index.htm](https://www.inclusion.gob.es/es/brexit/residencia/br_fronterizos/index.htm).

Moreover, the instrument implementing this area of the Withdrawal Agreement is the aforementioned administrative instruction agreed by the Director General of Migrations and the Director General of the Police. The Spanish version can be found here: [https://www.inclusion.gob.es/ficheros/brexit/brexit\\_instruccion\\_conjunta.pdf](https://www.inclusion.gob.es/ficheros/brexit/brexit_instruccion_conjunta.pdf).

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

A	Number of applications made in the reporting year	1
A1	Number of applications granted	1
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

### 3) Co-ordination of social security schemes

#### a. Key legislative instruments implementing the Withdrawal Agreement

Spain has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

#### b. Key legislative instruments adopted or amended in the reporting year

Spain has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance about pensioners and future pensions rights can be found at the Ministry's website: <https://www.inclusion.gob.es/en/brexit/seguridadesocial/pensiones/index.htm>.

There is also information and a guidance available on healthcare, which can be consulted at the following link: [https://www.inclusion.gob.es/en/brexit/seguridadesocial/asis\\_sanitaria/index.htm](https://www.inclusion.gob.es/en/brexit/seguridadesocial/asis_sanitaria/index.htm).

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

- Applicable legislation (*Portable Document A1*)

	TOTAL	UK	GIBRALTA R	UK+GIBR.
Regulation 883/2004				
11.4	4	4	0	0
11.5	2	0	0	2
12.1	226	128	98	0
12.2	15	0	15	0
13.1	4 374	2 930	137	1 307

13.2	<b>322</b>	224	8	90
Regulation 1408/71				
14.2b	<b>1</b>	0	1	0
<b>TOTAL DI</b>	<b>4 944</b>	3 286	259	1 399
16	<b>107</b>	90	17	0
<b>TOTAL OP (EXTENSION)</b>	<b>107</b>	90	17	0
<b>TOTAL DI+OP</b>	<b>5 051</b>	3376	276	1 399

- Cross-border health care (*EHIC, Portable Documents S1 and S2*):

For the healthcare sector, Spain can provide the number of S1 documents (*or SED S072 or E106/109/121*) and S2 documents issued or received in relation to the United Kingdom (*not possible for the EHIC, as it is not specific to the United Kingdom*), Spain has consolidated figures for the reference year 2021.

For the time being, Spain can provide figures for the reference year 2021 (*documents issued between 1 January 2021 and 31 December 2021, or documents still valid on 31 December 2021 regardless of the year of issue*):

- Residence in the other State, documents (*S1/S072/E106/E109/E121*) issued by Spain between 1 January 2021 and 31 December 2021 = 181.
- Residence in the other State, documents (*S1/S072/E106/E109/E121*) issued by the United Kingdom between 1 January 2021 and 31 December 2021 = 17.985.
- Residence in the other State, documents (*S1/S072/E106/E109/E121*) issued by Spain and still valid on 31 December 2021 = 134.
- Residence in the other State, documents (*S1/S072/E106/E109/E121*) issued by the United Kingdom and still valid on 31 December 2021 = 99.890.
- Care scheduled in the other State, S2 documents issued by Spain between 1 January 2021 and 31 December 2021 = 72.
- Pensions: **777**
- Unemployment benefits (*Portable Documents U1 and U2*):
- Family benefits: **0**

## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

The key legislative instrument implementing this area of the Withdrawal Agreement in this area is Article 4 of [Real Decreto-ley 38/2020, de 29 de diciembre](#), por el que se adoptan medidas de adaptación a la situación de Estado tercero del Reino Unido de Gran Bretaña e Irlanda del Norte tras la finalización del periodo transitorio previsto en el Acuerdo sobre la retirada del Reino Unido de Gran Bretaña e Irlanda del Norte de la Unión Europea y de la Comunidad Europea de la Energía Atómica, de 31 de enero de 2020.

## b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

## c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

There are two main webpages on recognition of professional qualifications after Brexit:

- [La Moncloa](#)
- [Ministerio de Universidades](#)

## d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

## e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	252
A1	Number of applications granted	146
A2	Number of applications refused	13
A2a	Out of A2, number of applications that were invalid	Data not available
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	93

# REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

## Finland

### Report for 2022

#### 1) Residence rights

Finland operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications on 1 October 2020. Residence documents have been issued in the EU's uniform physical format form since 1 January 2021. Residence documents are issued for a charge of 54 EUR.

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement is 30 September 2021.

Finland has not put in place more favourable residence conditions.

Finland has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Act No. 666/2020 on the implementation of certain provisions concerning residence rights under the withdrawal agreement of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (unofficial translation). Only available in Finnish and Swedish [here](#).

## b. Key legislative instruments adopted or amended in the reporting year

Decree No. 1175/2021 of the Ministry of the Interior on the Chargeable Services of the Finnish Immigration Service in 2022 (unofficial translation). Only available in Finnish and Swedish [here](#).

## c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

## d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

## e. Statistical data

Please provide statistical data on:

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	5 000
B	Number of residence applications made in the reporting year	4 701
B1	Number of in time residence applications made in the reporting year	4 192
B1a	Number of applications granted as pre-permanent residence	1 505
B1b	Number of applications granted as permanent residence	1 844
B1c	Number of applications refused	70
B1c1	Out of B1c, number of applications that were invalid	Data not available
B1c2	Out of B1c, number of applications that were withdrawn by applicants	51
B1d	Total number of in time applications pending at the end of the reporting year	773
B2	Number of late residence applications made in the reporting year	509
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	Data not available
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	See B2a
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	See B2a
B2a1	Number of applications granted as pre-permanent residence	64
B2a2	Number of applications granted as permanent residence	281
B2a3	Number of applications refused	2
B2a3a	Out of B2c3, number of applications that were invalid	Data not available
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	2
B2d	Total number of late applications pending at the end of the reporting year	162
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	12
C1	Number of entry visas granted	8
C2	Number of entry visas applications refused	4
C3	Total number of entry visa applications pending at the end of the reporting year	Data not available

## 2) Rights of employed and self-employed frontier workers

In Finland, beneficiaries of the Withdrawal Agreement are obliged to apply for a document identifying their frontier workers' rights by 30 September 2021. Such documents must be issued upon application.

The frontier worker scheme opened for applications on 1 October 2020. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued for a charge of 54 EUR.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Act No. 666/2020 on the implementation of certain provisions concerning residence rights under the withdrawal agreement of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (unofficial translation). Only available in Finnish and Swedish [here](#).

#### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

The Finnish authorities do not currently collect data on frontier workers' applications.

### 3) Co-ordination of social security schemes

#### a. Key legislative instruments implementing the Withdrawal Agreement

No legislation needed as the Withdrawal Agreement is directly applied by the Finnish authorities and institutions.

#### b. Key legislative instruments adopted or amended in the reporting year

No legislation needed as the Withdrawal Agreement is directly applied by the Finnish authorities and institutions.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Social insurance institution Kela: <https://www.kela.fi/web/en/social-security-after-brex-it?inheritRedirect=true>

International healthcare FI: [United Kingdom - EU-healthcare.fi](#)

Finnish Centre for Pensions: [Brexit and working abroad - Finnish Centre for Pensions \(etk.fi\)](#)

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

- Applicable legislation (*Portable Document A1*)

633 PD A1s, this number includes portable documents issued under the Withdrawal Agreement and the Trade and Cooperation Agreement, it is not possible to separate the data by legal basis.

- Cross-border health care (*EHIC, Portable Documents S1 and S2*)

In 2020 no PD S2s were issued from Finland to the UK. FI invoiced one treatment given in Finland in 2020 on the basis of a PD S2 issued from the UK. In 2020 one PD S1 was issued from Finland to the UK for a pensioner and 8 PD S1s from the UK were issued to FI. PD S1s are not usually used between FI and the UK. FI and UK have waived the reimbursement of healthcare costs.\*

Data not available for the EHICs

\* In 2021 FI has not granted Portable Documents S2 to the UK. Neither has UK granted them for treatment in Finland. Although Portable Document S1 is not usually used between FI and UK, FI granted 5 PD S1s and received 7 PD S1s from UK in 2021.

- Pensions

An estimation of under 10 cases/national pension (Kela).

The Finnish Centre for pensions has sent 98 pension claims to UK to be handled. (61 old-age pension applications, 32 disability pension applications, 5 survivors pension applications) The legal basis cannot be confirmed from the data but most of the pension claims for the year 2021 were made under the WA

- Unemployment benefits (*Portable Documents U1 and U2*)

An estimation would be PD U1s max 10, PD U2s max 2.

- Family benefits

A) Data not available. Here are the payments for 2021, where the benefit decision was given in 2021 and where there is coordination with the UK:

	BENEFICIARY	EURO
Child allowance	70	124 175
Home care allowance	16	35 179

B) Here are the payments for 2021, where the benefit decision was given in 2021 or earlier and where there is coordination with the UK:

	BENEFICIARY	EURO
Child allowance	127	226 463
Home care allowance	20	40 969

## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

Act on the Recognition of Professional Qualifications (1384/2015),

<https://www.finlex.fi/fi/laki/ajantasa/2015/20151384> In English:

<https://www.finlex.fi/fi/laki/kaannokset/2015/en20151384.pdf>.

Section 1 Scope “[...] This Act also applies to the recognition of professional qualifications based on the Agreement on the European Economic Area or on other agreements concluded by the European Union and its Member States with another party or on Union legal provisions pertaining to the status of third country nationals. [...]”

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

In Finnish: <https://okm.fi/brexit>.



In English: <https://okm.fi/en/brexit2>.

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	50
A1	Number of applications granted	40
A2	Number of applications refused	9
A2a	Out of A2, number of applications that were invalid (applicants didn't meet the requirements for the recognition laid down in the PQD)	9
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	2

## **REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT**

# France

## **Report for 2021**

### **1) Residence rights**

France operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications on 19 October 2020. Residence documents have been issued in the EU's uniform physical format form since 19 November 2020. Residence documents are issued free of charge.

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement is 6 October 2021.

France has put in place more favourable residence conditions with the following provisions:

- the situation of United Kingdom nationals married to a French national who has not completed mobility is taken into account;
- the right of permanent residence is recognized on the sole basis of a verification of the date of installation in France (no verification of the satisfaction of the conditions of right of residence for a period of five years);
- the condition of uninterrupted residence of 5 years prior to the right of permanent residence, provided for in the withdrawal agreement, is not included;
- the maintenance of the worker's rights is granted without time limit, regardless of how long this worker has been employed before.

France has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Decree No. 2020-1417 of 19 November 2020 concerning the entry, stay, professional activity and social rights of foreign nationals who are beneficiaries of the withdrawal agreement of the United Kingdom of Great Britain and

Northern Ireland of the European Union and the European Atomic Energy Community, as amended by the decree No. 2021-1236 of 27 September 2021. Consolidated version is available [here](#).

Order of 20 November 2020 setting the list of documents to be provided by United Kingdom nationals and their family members for the issue of the residence permit or of the movement document bearing the mention "Withdrawal agreement of the United Kingdom from the EU ». The text is available [here](#).

## b. Key legislative instruments adopted or amended in the reporting year

Decree No. 2021-1236 of 27 September 2021 amending Decree No. 2020-1417 of 19 November 2020 concerning the entry, residence, professional activity and social rights of foreign nationals who are beneficiaries of the withdrawal agreement of United Kingdom of Great Britain and Northern Ireland of the European Union and of the European Atomic Energy Community. The text is available [here](#).

## c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Information on the processing of applications for a residence permit from United Kingdom nationals and other foreign nationals who are family members, beneficiaries of the withdrawal agreement of the United Kingdom from the European Union concluded on 17 October 2019. The text is available [here](#).

## d. Key domestic jurisprudence from the reporting year

The year 2021 did not give rise to any key case law decisions. On the other hand, the year 2022 will see an important decision on the validity of the decree of 19 November 2020, the repeal of which has been requested by the association EUBritizens.

## e. Statistical data

Please provide statistical data on:

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	148 300 <sup>4</sup>
B	Number of residence applications made in the reporting year	165 908
B1	Number of in time residence applications made in the reporting year	165 471
B1a	Number of applications granted as pre-permanent residence	46 801
B1b	Number of applications granted as permanent residence	104 815
B1c	Number of applications refused	12 972
B1c1	Out of B1c, number of applications that were invalid	9 392 <sup>5</sup>
B1c2	Out of B1c, number of applications that were withdrawn by applicants	
B1d	Total number of in time applications pending at the end of the reporting year	883*
B2	Number of late residence applications made in the reporting year	The French authorities do not currently collect data on late applications.
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	
B2a1	Number of applications granted as pre-permanent residence	
B2a2	Number of applications granted as permanent residence	
B2a3	Number of applications refused	

<sup>4</sup> All the data given in this table cover the reporting year (2021), but also the preceding years.

<sup>5</sup> The French authorities do not currently collect data on applications that were withdrawn by applicants. As a matter of fact these data are aggregated to the data on applications that were invalid.

B2a3a	Out of B2c3, number of applications that were invalid	
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	
B2d	Total number of late applications pending at the end of the reporting year	
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In France, beneficiaries of the Withdrawal Agreement are obliged to apply for a document identifying their frontier workers' rights by the 1 July 2021. Such documents must be issued upon application.

The frontier worker scheme opened for applications on 19 November 2020. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued free of charge.

### a. Key legislative instruments implementing the Withdrawal Agreement

Article 26 of the decree No. 2020-1417 of 19 November 2020 concerning the entry, stay, professional activity and social rights of foreign nationals who are beneficiaries of the withdrawal agreement of the United Kingdom of Great Britain and Northern Ireland of the European Union and the European Atomic Energy Community, as amended by the decree No. 2021-1236 of 27 September 2021. Consolidated version is available [here](#).

Article 10 of the order of 20 November 2020 setting the list of documents to be provided by United Kingdom nationals and their family members for the issue of the residence permit or of the movement document bearing the mention "Withdrawal agreement of the United Kingdom from the EU". The text is available [here](#).

### b. Key legislative instruments adopted or amended in the reporting year

Decree No. 2021-1236 of 27 September 2021 amending Decree No. 2020-1417 of 19 November 2020 concerning the entry, residence, professional activity and social rights of foreign nationals who are beneficiaries of the withdrawal agreement of United Kingdom of Great Britain and Northern Ireland of the European Union and of the European Atomic Energy Community. The text is available [here](#).

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Information on the processing of applications for a residence permit from United Kingdom nationals and other foreign nationals who are family members, beneficiaries of the withdrawal agreement of the United Kingdom from the European Union concluded on 17 October 2019. The text is available [here](#).

### d. Key domestic jurisprudence from the reporting year

The year 2021 did not give rise to any key case law decisions. On the other hand, the year 2022 will see an important decision on the validity of the decree of 19 November 2020, the repeal of which has been requested by the association EUBritizens.

### e. Statistical data

A	Number of applications made in the reporting year	136 <sup>6</sup>
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<sup>6</sup> All the data given in this table cover the reporting year (2021), but also the preceding years.

A1	Number of applications granted	122
A2	Number of applications refused	1
A2a	Out of A2, number of applications that were invalid	Data not available
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	13

The first report should cover data not only for the reporting year, but also for preceding years (if applicable).

The French authorities do not currently collect data on applications that were invalid or withdrawn by applicants.

### 3) Co-ordination of social security schemes

For the implementation of Article 32 of the Withdrawal Agreement regarding the periods to take in account for the purposes of the aggregation of periods (especially for the claims of long-term benefits), France sent in June 2021 a note to DG EMPL to ask for the interpretation of this provision. DG EMPL shared its position, but France envisages to discuss this issue with the other EU Member States and the UK in the framework of the Administrative Commission.

#### a. Key legislative instruments implementing the Withdrawal Agreement

The French Ministry of Health has been associated with the adoption of the legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems:

Décret n° 2020-1417 du 19 novembre 2020 concernant l'entrée, le séjour, l'activité professionnelle et les droits sociaux des ressortissants étrangers bénéficiaires de l'accord sur le retrait du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord de l'Union européenne et de la Communauté européenne de l'énergie atomique / Decree No. 2020-1417 of 19 November 2020 concerning the entry, stay, professional activity and social rights of foreign nationals who are beneficiaries of the withdrawal agreement of the United Kingdom of Great Britain and Northern Ireland of the European Union and the European Atomic Energy Community, as amended by the decree No. 2021-1236 of 27 September 2021.

Consolidated version as of May 2022 is available

<https://www.legifrance.gouv.fr/loda/id/JORFTEXT000042538704/2022-05-03/>. No English translation available.

For other Decree and order see above section 1.a) and 1.b).

#### b. Key legislative instruments adopted or amended in the reporting year

No other specific legislative instruments in 2020 and 2021 to implement the Withdrawal Agreement on the coordination of social security systems.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

France has adopted no specific administrative documents to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly. Meanwhile, the Ministry of Health had led an official communication plan. A press kit has been published on the different institutional websites:

- Dossier de presse, Brexit, 14 décembre 2020 : [BREXIT : fin de la période de transition au 31 décembre 2020 - Ministère des Solidarités et de la Santé \(solidarites-sante.gouv.fr\)](#)  
In FR: [DP DSS Brexit fin période transition au 30 12 2021-.pdf \(securite-sociale.fr\)](#)  
In EN: [DP DSS Brexit -the transition period ends -.pdf \(securite-sociale.fr\)](#)
- Questions & Answers on the website of the Ministry of Health:  
[Brexit | vos questions / nos réponses - Ministère des Solidarités et de la Santé \(solidarites-sante.gouv.fr\)](#)

[Brexit | Vous êtes un particulier - Ministère des Solidarités et de la Santé \(solidarites-sante.gouv.fr\)](https://solidarites-sante.gouv.fr)

[Brexit | Vous êtes un professionnel - Ministère des Solidarités et de la Santé \(solidarites-sante.gouv.fr\)](https://solidarites-sante.gouv.fr)

- Questions 1 Answers on the website of the Cleiss (Centre des Liaisons Européennes et Internationales de Sécurité Sociale, French liaison body)  
In FR : <https://www.cleiss.fr/faq/brexit.html>  
In EN: [https://www.cleiss.fr/faq/brexit\\_en.html](https://www.cleiss.fr/faq/brexit_en.html)
- Website [www.brexit.gouv.fr](http://www.brexit.gouv.fr)

Different internal guidance notes have been sent to the bodies and social security institutions. Specific meetings with the social security bodies and the United Kingdom Embassy in France have been organized on this subject.

The social security institutions published also several guidance notes on their websites:

CNAV Caisse nationale d'assurance vieillesse: in FR [circulaire cnav 2022 08 22032022.pdf](#)

CNAM Caisse nationale d'assurance maladie: in FR [CIRCULAIRE \(cnamts.fr\)](#)

CNAF Caisse nationale des allocations familiales: in FR [It Brexit.pdf \(caf.fr\)](#)

#### d. Key domestic jurisprudence from the reporting year

As far as we know, there is no specific judgments related to this area of the Withdrawal Agreement.

#### e. Statistical data

Please provide relevant statistical data on:

- Applicable legislation (*Portable Document A1*) – Reference year 2020

Total number of PDs A1 issued by FR to the UK (according to Article 12 of the Basic Regulation): 3 745

Total number of PDs A1 issued by FR to the UK (according to Article 16 of the Basic Regulation): 94

Total number of PDs A1 issued by the UK to FR: 5 894

- Cross-border health care (*EHIC, Portable Documents S1 and S2*) – Reference year 2020

1) EHIC – Unplanned necessary cross-border healthcare

Number of claims received by FR for the payment of necessary healthcare received abroad (in the UK): 582

Amount paid (in EUR) by FR for necessary healthcare received abroad, total: 51 018

Number of claims issued by FR (Member State of treatment) for necessary healthcare: 16 410

Amount received (in EUR) by FR (Member State of treatment) for necessary healthcare, total: 330 079

2) PDs S1 – The entitlement to and use of sickness benefits by persons residing in a Member State other than the competent Member State

Number of PDs S1 issued by FR to insured persons, stock in 2020: 504

Number of PDs S1 issued by FR to insured persons in 2020: 117

Number of PDs S1 received by FR from the UK for insured persons, stock in 2020: 47 606

Number of PDs S1 received by FR from the UK for insured persons in 2020: 4 673

Number of claims received by FR (the competent Member State) for the payment of healthcare received in the UK by persons with a PD S1: 230

Amount to be paid by FR (the competent Member State) for healthcare received in the UK by persons with a PD S1, in EUR: 0

Number of claims issued by FR (the Member State of treatment) for the reimbursement of costs for persons with a PD S1 having received healthcare in the UK: 102 086

Amount to be received by FR (the Member State of treatment) as reimbursement of costs for persons with a PD S1 having received healthcare in the UK, in EUR: 161 181 075

### 3) PDs S2 – Planned cross-border healthcare

Number of PDs S2 issued by FR: 6

Number of PDs S2 received by FR: 48

Number of claims received by FR (the competent Member State) for the payment of planned healthcare received in the UK by persons with a PD S2: /

Amount to be paid by FR (the competent Member State) for planned healthcare received in the UK by persons with a PD S2, in EUR: 0

Number of claims issued by FR (the Member State of treatment) for the reimbursement of costs for persons with a PD S2 having received planned healthcare: 71

Amount to be received by FR (the Member State of treatment) as reimbursement of costs for persons with a PD S2 having received planned healthcare, in EUR: 138 502

#### - Pensions – Reference year 2020

Total number of pensions paid by FR to pensioners who reside in the UK, all types of pensions: 11 126 (EUR 28 136 576)

- Old-age pensions: 10 505 (EUR 26 539 612 )
- Survivor's pension: 575 (EUR 1 266 039)
- Invalidity pension: 46 (EUR 330 925)

Total number of pensions paid by the UK to pensioners who reside in FR, all types of pensions: 66 847 (EUR 400 311 736)

(In brackets, corresponding amount paid to pensioners who reside in the UK or FR, in million EUR, total.)

#### - Unemployment benefits (*Portable Documents U1 and U2*) – Reference year 2020

The number of aggregations of periods for unemployment (PDs U1 issued by FR as competent Member State): 737

Total number of PDs U2 issued by FR to the UK: 19

Total number of PDs U2 issued by the UK to FR: 119

#### - Family benefits – Reference year 2020

Export of family benefits by the number of households: 31

Export of family benefits by the number of family members involved: 158

Export of family benefits by expenditure (in EUR): 59 919

These data are mainly collected in the yearly statistical reports on social security coordination of the EU-Administrative Commission for the coordination of social security systems for 2020. The statistical data for 2021 are not yet available.

Some data come from the internal statistical framework of the French liaison body, the Cleiss (Centre des Liaisons Européennes et Internationales de Sécurité Sociale).

## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

Directive (EC) No 36/2005 was transposed in France with a sectoral approach. Each national law or decree organising the access to a regulated profession was modified to allow the access to the profession for EU nationals. Because of the use of “ressortissant européen” (i.e. EU national) in this transposition, there is no need to transpose the Withdrawal Agreement for its implementation: United Kingdom nationals are not EU nationals any longer, and therefore do not benefit from these measures.

Regarding the Withdrawal agreement and professional qualifications requests introduced before the end of the transition period but processed after 1 January 2021, a simple notice (document in question 4.c) was sent to the competent authorities to fulfil the processing of these requests as the law stood when the request was introduced.

## b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

## c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

A presentation to competent ministerial authorities was provided for the implementation of the Withdrawal Agreement.

You will find below the document shared with competent authorities.



Présentation DGE -  
Conséquences Brexit |

## d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

## e. Statistical data

Statistics for 2021 are not available yet. However, the statistical data regarding line A, A1, A2 and A3 will be included in the statistical data reported each year in the Commission's regulated professions database throughout the year 2022.

The data for lines A2a and A2b was not compiled, and will be difficult to access.

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	Data not available
A1	Number of applications granted	
A2	Number of applications refused	
A2a	Out of A2, number of applications that were invalid	
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	

# REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

## Croatia

### Report for 2021

#### 1) Residence rights

Croatia operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on 1 January 2021. Residence documents have been issued in the EU's uniform physical format form since 1 January 2021. Residence documents are issued for a charge of 100 HRK (approximately 13 EUR).

United Kingdom nationals are obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status.

Third-country family members of United Kingdom nationals are obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status.

For Withdrawal Agreement beneficiaries, instructive deadline for registration was set at 30 June 2021; or 6 months after entry into Croatia. Withdrawal beneficiaries can only be subject to money fine (200 HRK) if instructive deadline is not met and they are not precluded from registration later as Withdrawal Agreement beneficiaries.

Old residence documents issued under EU law on free movement of EU citizens are declared invalid since 1 January 2021. However, there is no doubt about the evidentiary effect of previously issued documents under EU law on free movement in proving the Withdrawal Agreement beneficiary status. As declaratory scheme was further confirmed by national legislation, possession of a new residence permit issued under the Agreement is not a prerequisite for exercising rights or carrying out administrative formalities referred to in Title II, Chapter 1 of the Agreement given that other evidence may also be provided as a proof of Withdrawal Agreement beneficiary status (including old residence documents issued under EU law on free movement).

Croatia has not put in place more favourable residence conditions.

##### a. Key legislative instruments implementing the Withdrawal Agreement

The Act on the amendments to the Act on EEA nationals and their family members (Official Gazette, No 144/20), is available [here](#) (Croatian only).

Amendments to the Ordinance on EEA nationals and their family members (Official Gazette, No 143/20), available [here](#) (Croatian only).

##### b. Key legislative instruments adopted or amended in the reporting year

Amendments to the Ordinance on EEA nationals and their family members (Official Gazette, No 86/21), available [here](#) (Croatian only).

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Information available via web page: <https://mup.gov.hr/vijesti/information-concerning-the-future-relations-between-the-united-kingdom-and-the-european-union/283273>.

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.



### e. Statistical data

In relation to the information regarding visa application under C (including C1, C2 and C3), it should be noted that it is not possible to distinguish Visa applications based on article 14(3) of the Withdrawal Agreement from other visa applications in the current version of the Croatian visa information systems (HVIS). Therefore this data is not available.

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	1 100
B	Number of residence applications made in the reporting year	784
B1	Number of in time residence applications made in the reporting year	Not applicable
B1a	Number of applications granted as pre-permanent residence	557
B1b	Number of applications granted as permanent residence	213
B1c	Number of applications refused	3
B1c1	Out of B1c, number of applications that were invalid	0
B1c2	Out of B1c, number of applications that were withdrawn by applicants	3
B1d	Total number of in time applications pending at the end of the reporting year	11
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In Croatia, beneficiaries of the Withdrawal Agreement are obliged to apply for a document identifying their frontier workers' rights. Such documents must be issued upon application.

The frontier worker scheme opened for applications on 1 January 2021. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued for a charge of 225 HRK (approximately 30 EUR).

### a. Key legislative instruments implementing the Withdrawal Agreement

The Act on the amendments to the Act on EEA nationals and their family members (Official Gazette, No 144/20), is available [here](#) (Croatian only).

Amendments to the Ordinance on EEA nationals and their family members (Official Gazette, No 143/20), available [here](#) (Croatian only).

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Information available via web page: <https://mup.gov.hr/vijesti/information-concerning-the-future-relations-between-the-united-kingdom-and-the-european-union/283273>.

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0

A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	Data not available

### 3) Co-ordination of social security schemes

#### a. Key legislative instruments implementing the Withdrawal Agreement

There were no legislative instruments implementing this area of the Withdrawal Agreement or legislative changes regarding the UK withdrawal from the EU in the field of coordination of social security schemes.

#### b. Key legislative instruments adopted or amended in the reporting year

There were no legislative instruments implementing this area of the Withdrawal Agreement or legislative changes regarding the UK withdrawal from the EU in the field of coordination of social security schemes.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

- Applicable legislation (*Portable Document A1*)

*In 2021, 269 A1 certificates were issued to workers posted to the UK, however, it is not possible to distinguish which certificates were issued under the Withdrawal Agreement from those issued under the new Protocol.*

- Cross-border health care (*EHIC, Portable Documents S1 and S2*)

*It is not possible for us to distinguish between forms and documents issued and received according to the Withdrawal Agreement provisions from those issued and received in accordance with the Trade and Cooperation Agreement. The data provided therefore comprise documents issued and received according to both agreements.*  
*S1*

*In 2021 there were 95 S1 forms received from UK. On 31.12.2021, there were 202 S1 forms issued by UK that were still valid in Croatia. In 2021 Croatia has issued 10 documents S1 for UK.*

*S2*

*There were no S2 documents used in Croatia issued by UK. Also, no S2 were issued in Croatia to be used in UK.*  
*EHIC*

*As for EHIC cards, there were 906 UK EHIC-s used in Croatia in 2021. 62 Croatian EHIC-s were used in UK in 2021.*

- Pensions

*In 2021, 11 old-age pensions were realized according to Article 32 of the Withdrawal Agreement.*

- Unemployment benefits (*Portable Documents U1 and U2*)

*Between 1 January and 31 December 2021 there were 4 unemployment benefit claims submitted after periods of work in the United Kingdom. In all of these cases, unemployment benefits were granted.*

*Between 1 January and 31 December 2021, Croatia issued one U1 form and no U2 forms.*

- Family benefits

No family benefits have been realized in relation to the UK.

#### 4) Recognition of professional qualifications

##### a. Key legislative instruments implementing the Withdrawal Agreement

The Act on regulated professions and recognition of foreign professional qualifications ([OG 82/15](#), [70/19](#), [47/20](#)) provides for recognition procedures for third-country qualifications within Chapter VIII, which is a slightly adjusted general system of recognition. These provisions apply to United Kingdom nationals after the end of the transition period (since 1st January 2021). There were no legislative changes regarding the United Kingdom withdrawal from the EU in the field of regulated professions and recognition of foreign professional qualifications.

##### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

##### e. Statistical data

Please provide statistical data on:

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	1
A1	Number of applications granted	1
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

Regarding statistics on the recognition of professional qualifications for United Kingdom nationals and United Kingdom qualifications, since the United Kingdom's withdrawal, there was only one request for recognition in 2020 and one in 2021. Both requests were completed with a positive decision, fully recognised qualifications of sports coaches. No pending, withdrawn or invalid nor refused applications within this period. This data is collected based on competent authorities' obligation to insert the annual statistical data regarding recognition procedures into the National Database of regulated professions.

# REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

## Hungary

Report for 2021

### 1) Residence rights

Hungary operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications on 1 January 2021. Residence documents were issued in the EU's uniform physical format form since 1 January 2021. Residence documents were issued free of charge.

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement was 31 December 2021.

Hungary has put in place more favourable residence conditions. By changing the status to national permanent residence permit an indefinite status could be reached in one step. Furthermore, United Kingdom nationals who earlier haven't fulfilled administrative procedures according to Directive 2004/38/EC could prove that they have been permanently living in Hungary before 1 January 2021, earlier residence documents were not a prerequisite.

Hungary has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Act CXLI of 2020 on Act on the right of residence of the citizens of the United Kingdom and their family members in view of the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union is Hungary's transposition of the Withdrawal Agreement. This Act modified the Act I of 2007 on the entry and residence of persons with the right of free movement and residence, a new Section 95 has been adopted. Consolidated version of Act I of 2007 is available [here](#).

#### b. Key legislative instruments adopted or amended in the reporting year

Hungary did not have this kind of modification in 2021.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Hungarian authorities did not issue specific Hungarian guidance, the Commission's Guidance note is used. Guidance information relates to residence documents to be submitted with applications for a new residence status. Consolidated version is available [here](#) on the official website of authority.

#### d. Key domestic jurisprudence from the reporting year

Here were no such cases in Hungary related to this area of the Withdrawal Agreement.

#### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	5 000
B	Number of residence applications made in the reporting year	2 425
B1	Number of in time residence applications made in the reporting year	2 425
B1a	Number of applications granted as pre-permanent residence	N/A
B1b	Number of applications granted as permanent residence	1 760
B1c	Number of applications refused	5
B1c1	Out of B1c, number of applications that were invalid	Data not available
B1c2	Out of B1c, number of applications that were withdrawn by applicants	

B1d	Total number of in time applications pending at the end of the reporting year	594
B2	Number of late residence applications made in the reporting year	Not applicable in the reporting year
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	
B2a1	Number of applications granted as pre-permanent residence	
B2a2	Number of applications granted as permanent residence	
B2a3	Number of applications refused	
B2a3a	Out of B2c3, number of applications that were invalid	
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	
B2d	Total number of late applications pending at the end of the reporting year	
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	1
C1	Number of entry visas granted	0
C2	Number of entry visas applications refused	0
C3	Total number of entry visa applications pending at the end of the reporting year	1

## 2) Rights of employed and self-employed frontier workers

In Hungary, beneficiaries of the Withdrawal Agreement were obliged to apply for a document identifying their frontier workers' rights generally by 31 March 2021. The frontier worker scheme opened for applications on 1 January 2021. The documents identifying their frontier workers' rights would have been issued in a physical form, and free of charge. However, there were no such applications in Hungary.

In 2021 no legislative changes have been introduced in the field of labour law with regard to the application and implementation of the Withdrawal Agreement. United Kingdom nationals in possession of a national permanent residence permit and frontier workers covered by Article 26 of the agreement need no work permit for employment.

### a. Key legislative instruments implementing the Withdrawal Agreement

Act CXLI of 2020 on Act on the right of residence of the citizens of the United Kingdom and their family members in view of the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union is Hungary's transposition of the Withdrawal Agreement. Act CXLI of 2020 on Act modified the Act I of 2007 on the entry and residence of persons with the right of free movement and residence, a new Section has been adopted.

Regarding employed persons Subsection (16) of Section 95 of the Act I of 2007 refers to the Section 29/A of the Act II of 2007 on the Admission and Residence of Third-country Nationals. Regarding self-employed persons Subsection (17) of Section 95 of the Act I of 2007 refers to the Subsection (1) of Section 20 of the Act II of 2007.

### b. Key legislative instruments adopted or amended in the reporting year

Hungary did not have this kind of modification in 2021.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Hungarian authorities did not issue specific Hungarian guidance, the Commission's Guidance note is used.

Guidance information relates to residence documents to be submitted with applications for a new residence status. Consolidated version is available [here](#) on the official website of authority.

### d. Key domestic jurisprudence from the reporting year

Here were no such cases in Hungary related to this area of the Withdrawal Agreement.

### e. Statistical data

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

## 3) Co-ordination of social security schemes

### a. Key legislative instruments implementing the Withdrawal Agreement

Hungary has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

### b. Key legislative instruments adopted or amended in the reporting year

Hungary has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

- Applicable legislation: 301 (A003: 2723, A009: 407)
- Cross-border health care (*EHIC, Portable Documents S1 and S2*)

S2: none,  
S1: 202

EHIC: not available (data can be retrieved on the number of valid cards (based on Hungarian insurance) on a specific date, regardless of the direction of use

- Pensions altogether 1 577, including:  
request from UK 238 (closed: 227, in progress: 11)  
incoming pension claims: 1088 (awards: 358, rejected: 353, in progress: 377)  
survivors: 251 (awarded: 100, rejected: 14, in progress: 137)  
data reconciliation (collecting information on UK insurance periods): 850

- Unemployment benefits (*Portable Documents U1 and U2*)

U1 (received from UK): 2 015

U1 (issued for United Kingdom nationals): 1

U2: none (as far as the awarded benefits are not exportable)

U1: In 2021, 2015 U1 certificates were received from the United Kingdom, so in 2015 cases the EU worker who became unemployed (also) worked in the United Kingdom, which was included in the unemployment benefit granted in Hungary. In Hungary during the same period 1 U1 certificate was issued to United Kingdom nationals.

U2: As from the entry into force of the Agreement, the established benefits cannot be exported between the United Kingdom and the EU Member States, no U2 licences were received from the UK or issued by Hungary in 2021.

- Family benefits

65 (paid under the Withdrawal Agreement: family allowance, child care allowance, child raising support)  
no data available on childcare fee and adoption fee

#### 4) Recognition of professional qualifications

After the end of the transition period Hungary did not grant United Kingdom nationals a treatment more favourable to that guaranteed under the Withdrawal Agreement, thus, no legal text to report, United Kingdom nationals' qualifications are treated as qualifications of third country nationals.

##### a. Key legislative instruments implementing the Withdrawal Agreement

The relevant Hungarian law applicable only to EU qualifications, and as the United Kingdom is no longer an EU Member State no specific legislation measures were needed.

##### b. Key legislative instruments adopted or amended in the reporting year

The Act 100 of 2001 on the recognition of foreign certificates and diplomas <https://njt.hu/jogszabaly/2001-100-00-00>.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No such document to report.

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence to report.

##### e. Statistical data

The 2021 data will be collected in fall of 2022. In the table below those applications are visible that started in the year of 2020 and finished (or were pending) in 2021.

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	4
A1	Number of applications granted	1
A2	Number of applications refused	1
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	1
A3	Number of applications that are still pending at the end of the reporting year	2

# REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

## Ireland

### Report for 2021

#### 1) Residence rights

Ireland operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on 1 January 2021. Residence documents have been issued in the EU's uniform physical format form since 1 January 2021. Residence documents are issued free of charge.

United Kingdom nationals are not obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status. Such document must be issued upon voluntary application.

Third-country family members of United Kingdom nationals are obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status by 30 June 2022.

United Kingdom nationals are not anymore able to use their old residence documents issued under EU law on free movement of EU citizens since 31 December 2020.

Ireland has not put in place more favourable residence conditions.

Ireland has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

#### a. Key legislative instruments implementing the Withdrawal Agreement

S.I. No. 728 of 2020. ([irishstatutebook.ie](http://irishstatutebook.ie))

#### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

[UK WITHDRAWAL FROM THE EU.pdf \(irishimmigration.ie\)](#)

[Brexit - Important notice for non-EEA family members of UK nationals seeking to move to Ireland after 31 December 2020 - Immigration Service Delivery \(irishimmigration.ie\)](#)

[Extension for non-EEA family members of UK nationals residing in Ireland before 31 December 2020 to apply for a residence document under the Withdrawal Agreement - Immigration Service Delivery \(irishimmigration.ie\)](#)

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	14 000
B	Number of residence applications made in the reporting year	2 342
B1	Number of in time residence applications made in the reporting year	2 342
B1a	Number of applications granted as pre-permanent residence	2 329



B1b	Number of applications granted as permanent residence	13
B1c	Number of applications refused	0
B1c1	Out of B1c, number of applications that were invalid	0
B1c2	Out of B1c, number of applications that were withdrawn by applicants	0
B1d	Total number of in time applications pending at the end of the reporting year	Data not available
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	147 (3 were subsequently withdrawn)
C1	Number of entry visas granted	50
C2	Number of entry visas applications refused	12
C3	Total number of entry visa applications pending at the end of the reporting year	82

## 2) Rights of employed and self-employed frontier workers

In Ireland, beneficiaries of the Withdrawal Agreement are not obliged to apply for a document identifying their frontier workers' rights. Such documents must be issued upon application.

The frontier worker scheme opened for applications on 1 January 2021. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued free of charge.

### a. Key legislative instruments implementing the Withdrawal Agreement

S.I. No. 728 of 2020. [pdf \(irishstatutebook.ie\)](https://www.irishstatutebook.ie)

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance for Frontier workers can be found at the Government of Ireland website: [Information for current and future frontier workers.](#)

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

## 3) Co-ordination of social security schemes

### a. Key legislative instruments implementing the Withdrawal Agreement

Not applicable in the field of Social Security.

### b. Key legislative instruments adopted or amended in the reporting year

Not applicable in the field of Social Security.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance to the public can be found on the Government of Ireland website: <https://www.gov.ie/en/organisation-information/6f4f07-brexite/#>.

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

The data as below relates to 2020, with the exception of the pensions data which relates to 2021.

1. Applicable legislation (Portable Document A1): A total of 172 Portable Documents A1 were issued in respect of persons sent by their employer to the United Kingdom
2. Cross-border health care (EHIC, Portable Documents S1 and S2): The Department of Health in Ireland does not record EHIC data, or issue Portable Documents S1 in respect of the United Kingdom. There were 558 Portable Documents S2 issued in 2021 for patients who accessed planned healthcare in the UK under the Health Service Executive's Treatment Abroad Scheme.
3. Pensions: 510 Old Age Pensions were issued by Ireland during 2021 reliant on the preserved rights as provided by the Withdrawal Agreement.
4. Unemployment benefits  
Portable Documents U1: The Department of Social Protection in Ireland does not record statistical data on cases where social security contributions from different Member States are aggregated for the purposes of Unemployment benefits.  
Portable Documents U2: The Department of Social Protection issued 18 Portable Documents U2 in respect of persons going to the UK to seek employment.
5. Family benefits: The Department of Social Protection recorded 1 183 persons entitled to family benefits paid in respect of 2 614 family members who were resident in the United Kingdom.

## 4) Recognition of professional qualifications

Regulatory bodies in Ireland have engaged with their counterparts in the United Kingdom to put arrangements in place to maintain continuity of professional qualifications in the context of mobility under the Common Travel Area.

### a. Key legislative instruments implementing the Withdrawal Agreement

As part of the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020, provision was made to resolve qualifications for those working in the F Gases Sector.

### b. Key legislative instruments adopted or amended in the reporting year

[Withdrawal of the United Kingdom from the European Union \(Consequential Provisions\) Act 2020, Section 14 \(irishstatutebook.ie\)](http://irishstatutebook.ie)

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

### d. Key domestic jurisprudence from the reporting year

Administrative procedures (namely third country recognition policies and procedures) are held by each of the appropriate regulatory bodies.

### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting	0
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	year	
A1	Number of applications granted	14
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	6

## **REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT**

# Italy

### Report for 2021

#### **1) Residence rights**

Italy operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on 1 February 2020. Residence documents have been issued in the EU's uniform physical format form since 19 February 2021. Residence documents are issued for a charge of 30.46 EUR, equal to the production cost of the document.

United Kingdom nationals are not obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status. Such document must be issued upon voluntary application.

Third-country family members of United Kingdom nationals are not obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status.

Italy has not put in place more favourable residence conditions.

Italy has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

#### **a. Key legislative instruments implementing the Withdrawal Agreement**

The implementation of Decision (EU) No 1114/2020 final did not require the adoption of implementing legislation in Italy.

#### **b. Key legislative instruments adopted or amended in the reporting year**

No such instruments in the reporting year.

#### **c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

Guidance about the rights of the UK nationals and their family members residing in Italy can be found at the Ministry of Interior's website at the link: <https://www.interno.gov.it/it/vademecum-i-cittadini-britannici-e-i-loro-familiari-residenti-italia>

#### **d. Key domestic jurisprudence from the reporting year**

No such jurisprudence in the reporting year.

#### **e. Statistical data**

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	33 776
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B	Number of residence applications made in the reporting year	13 496
B1	Number of in time residence applications made in the reporting year	Data not available
B1a	Number of applications granted as pre-permanent residence	12 181*
B1b	Number of applications granted as permanent residence	
B1c	Number of applications refused	1
B1c1	Out of B1c, number of applications that were invalid	Data not available
B1c2	Out of B1c, number of applications that were withdrawn by applicants	
B1d	Total number of in time applications pending at the end of the reporting year	621
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	12
C1	Number of entry visas granted	12
C2	Number of entry visas applications refused	0
C3	Total number of entry visa applications pending at the end of the reporting year	Data not available

\* Cumulative data including pre-permanent residence status.

Number of stay permit applications made by family members: 393

Number of stay permit issued to family members: 343

## 2) Rights of employed and self-employed frontier workers

In Italy, beneficiaries of the Withdrawal Agreement are not obliged to apply for a document identifying their frontier workers' rights. .

### a. Key legislative instruments implementing the Withdrawal Agreement

Nothing to report. See also answer 1 a.

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

The "Circolare" of the Italian Ministry of Interior of the 30 December 2020 and its "Vademecum, which, at page 5, establishes:

The Withdrawal Agreement and the related Decision (EU) No 1114 of 21 February 2020 recognize rights also in favour of the frontier workers and, if requested, the possibility to deliver an electronic document (note 7), with the same technical and security characteristics established by the Regulation (EC) No 1030/2002 as modified by the Regulation (EU) No 1954/2017. This document will consist in an electronic stay permit, issued according the "decreto legislativo" 6 February 2007, n. 30 with a written indication "Articolo 50 TUE — Frontier worker" and the specification "ART. 18.4 ACCORDO DI RECESSO UE-UK" ("ART. 18.4 ACCORDO DI RECESSO UE-UK-familiare"), valid for five years.

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

### 3) Co-ordination of social security schemes

#### a. Key legislative instruments implementing the Withdrawal Agreement

Italy has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly. Guidance has been provided to the competent institutions.

#### b. Key legislative instruments adopted or amended in the reporting year

Italy has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

The competent Bodies issued dedicated administrative documents (circulars) regarding the different matters affected by the Withdrawal Agreement, namely:

##### *Pensions*

[Circolare n. 16 del 4 febbraio 2020](#)

[Circolare n. 53 del 6 aprile 2021](#)

##### *Applicable legislation/Posting*

[Circolare n. 71 del 27 aprile 2021](#)

[Messaggio Inps HERMES.22/12/2020.0004805](#)

##### *Income support benefits*

[Circolare n. 16 del 4 febbraio 2020](#)

[Circolare n. 98 del 8 luglio 2021](#)

##### *Welfare-based benefits*

[Circolare n. 154 del 18 ottobre 2021](#)

##### *Health benefits*

Note n. 19692 on 2 October 2020

Note n. 24788 on 27 November 2020

Note n. 26979 on 22 December 2020

Note n. 4143 on 23 February 2021

Note n. 5353 on 10 March 2021

Please note that the above documents have been issued by the Ministry of Health and addressed to the health departments of Regions and Autonomous Provinces of Trento and Bolzano and also to the competent services dealing with international health mobility. As for the respective object, the first (2 October 2020) provides indications on how to assist the British in case of a "no deal" scenario.

The second (27 November 2020) gives information on the various types of British cards to be accepted.

The third (22 December 2020) informs on how the Withdrawal Agreement should be implemented.

The fourth (23 February 2021) examines the critical issues that emerged during the registration of the British with the NHS and provides information on how to overcome them.

The fifth (10 March 2021) gives an update on British cards and, specifically, informs about the GHIC (Global Health Insurance Card) which must also be accepted.

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

##### Applicable legislation (Portable Document A1 2021)

- Portable Documents A1 issued in accordance with Article 12 of Regulation (EC) 883/2004: 54
- Portable Documents A1 issued in accordance with Article 13 of Regulation (EC) 883/2004: 69
- Portable Documents A1 issued in accordance with Article 16 of Regulation (EC) 883/2004: 10

##### Pensions

National Social Security Institute (INPS) granted 1070 old age pensions, 11 invalidity pensions and 597 survivors' pensions with effect since the date in which the Withdrawal Agreement entered into force.

##### Unemployment benefits (Portable Documents U1 and U2)

- Portable Documents U1 received from the UK: 16
- Portable documents U1 issued to the UK: 1
- Portable Documents U2 issued to the UK: 0
- Applications from the INPS insured: 112

##### Family benefits

- Applications from the INPS insured: 7
- Applications from HMRC (UK): 38

## 4) Recognition of professional qualifications

#### a. Key legislative instruments implementing the Withdrawal Agreement

In Italy no legislative or administrative instruments implementing the Withdrawal Agreement have been adopted. Citizens who have obtained a qualification in the United Kingdom and wish to pursue the same profession in Italy may apply for recognition of their professional title in accordance with Articles 49 and 50 of Presidential Decree No. 394 of 31 August 1999 which refers to Legislative Decree No 206 of 9 November 2007 (transposing Directive 2005/36/EC) also for recognition Extra UE qualification.

Consolidated version – <https://www.normattiva.it/atto/caricaDettaglioAtto?atto.dataPubblicazioneGazzetta=1999-11-03&atto.codiceRedazionale=099G0265&atto.articolo.numero=0&atto.articolo.sottoArticolo=1&atto.articolo.sottoArticolo1=10&qId=dc8d4962-fe97-4a6f-a78e-1e12e8b70bb2&tabID=0.48910610819376643&title=lbl.dettaglioAtto>.

#### b. Key legislative instruments adopted or amended in the reporting year

In Italy no legislative instruments implementing the Withdrawal Agreement have been adopted in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

In Italy no administrative instruments implementing the Withdrawal Agreement have been adopted in the reporting year.

### d. Key domestic jurisprudence from the reporting year

In Italy no such jurisprudence has been established in the reporting year.

### e. Statistical data

Year		2020	2021	2022
A	Number of applications under Article 28 of the Withdrawal Agreement made	296	168	127
A1	Number of applications granted	213	119	27
A2	Number of applications refused	1	1	0
A2a	Out of A2, number of applications that were invalid	50	16	0
A2b	Out of A2, number of applications that were withdrawn by applicants	1	0	0
A3	Number of applications that are still pending at the end of the reporting year	31	31	100

## REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

# Lithuania

## Report for 2021

### 1) Residence rights

Lithuania operates a declaratory residence scheme in accordance with Articles 18(1) and 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on 1 January 2021. Residence documents have been issued in the EU's uniform physical format form since 1 January 2021. Residence documents are issued free of charge.

United Kingdom nationals are not obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status. Such document must be issued upon voluntary application.

Third-country family members of United Kingdom nationals are obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status by 1 April 2021.

United Kingdom nationals are able to use their old residence documents issued under EU law on free movement of EU citizens until the end of validity.

Lithuania has put in place more favourable residence conditions. The citizens of Australia, Japan, the United States of America, Canada, New Zealand, South Korea and United Kingdom, who intend to work or engage in any legitimate activity in Lithuania, are subject to simplified immigration conditions for obtaining a temporary residence permit.

Citizens of the aforementioned countries arriving to Lithuania with an aim to work or engage in any legitimate activity do not necessarily have to comply with common requirements imposed on the third-country nationals.

If a citizen of these countries is a participant or the manager of the company registered in the Register of Legal Entities and arrives to work in that company, then a list of required documents is also shorter.

Furthermore, citizens of these countries may also apply for the issue of temporary residence permit in the Republic of Lithuania, provided they are engaged in any other legitimate activity, including individual activity. Such activity is considered to be any independent activity in pursuit whereof an individual seeks to derive income or any other economic benefit over a continuous period. This may be an independent commercial or industrial activity of any nature (excluding activities of real estate trade or rent), also, financial instrument transactions; independent creative, scientific or professional activity and other similar independent activity, independent sports and performing activity.

When applying for a residence permit on the basis of individual activity, it is necessary to submit supporting documents, for example, a business certificate, or documents approving that an alien is engaged in performing or sports activities, intends to participate in volunteering programs or implement joint governmental programs together with the foreign states.

It should be noted that the simplified immigration requirements are also applied to citizens of the above-mentioned countries who arrive to Lithuania to work or engage in activity under a regulated profession. Depending on the profession, person must have a document confirming that he/she complies with the conditions laid down in legislation of the Republic of Lithuania to engage in regulated professional activities.

A temporary residence permit for the above-mentioned purposes can be issued to citizens of these countries for a period of 3 years. If the period of employment or legitimate activity is expected to be shorter, then a temporary residence permit is issued for that period of employment or legitimate activity, by adding additional 3 months after expiration thereof.

Family members of citizens of these countries may jointly apply for a temporary residence permit. Family members are considered to be the following persons: a spouse or registered partner, unmarried and parent-dependent minor children, or parents who have been dependent on their adult children for at least one year and are unable to use the support of other family members residing in a foreign state.

Lithuania has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Implementing Act: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/084f7a4224e111eb8c97e01ffe050e1c?jfwid=9tq1482kv>. Consolidated version: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.232378/asr>.

#### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	762
B	Number of residence applications made in the reporting year	214
B1	Number of in time residence applications made in the reporting year	214
B1a	Number of applications granted as pre-permanent residence	132
B1b	Number of applications granted as permanent residence	81
B1c	Number of applications refused	1
B1c1	Out of B1c, number of applications that were invalid	Data not available
B1c2	Out of B1c, number of applications that were withdrawn by applicants	
B1d	Total number of in time applications pending at the end of the reporting year	0



C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In Lithuania, there is no special employment regulation for United Kingdom employed or self-employed frontier workers. Lithuania is applying to them the Article 26 of the Withdrawal Agreement directly.

### a. Key legislative instruments implementing the Withdrawal Agreement

No such instruments in the reporting year. Lithuania is applying Article 26 of the Withdrawal Agreement directly.

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

As United Kingdom citizens can work without labour permit, we have no available statistical data regarding employment of United Kingdom citizens.

## 3) Co-ordination of social security schemes

In Lithuania there is no special social insurance scheme for United Kingdom employed or self-employed frontier workers. United Kingdom citizens working in Lithuania are insured by state social insurance on the same conditions as Lithuanians.

### a. Key legislative instruments implementing the Withdrawal Agreement

- Law on State Social Insurance (as amended, social insurance does not depend on the employee's citizenship - <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.1327/asr>

- Law on Sickness and Maternity Social Insurance (as amended) <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.116582/asr>

- Law on target compensations (as amended) <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/678d3c3244fe11e68f45bcf65e0a17ee/YtKvAkbeAi?positionInSearchResults=0&searchModelUUID=a7fc341d-e8de-4cf0-bcb8-f1fdef418aa2>

- Law on Social Insurance Pensions (as amended) <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5901/WCVSsvFDPH?positionInSearchResults=1&searchModelUUID=a7fc341d-e8de-4cf0-bcb8-f1fdef418aa2>

- Law on Accidents at Work and Occupational Diseases Social Insurance No VIII-1509 (as amended) <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.93115/WyrZZjremn?positionInSearchResults=1&searchModelUUID=a7fc341d-e8de-4cf0-bcb8-f1fdef418aa2>

- Law on Assistance in the Case of Death (as amended) <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5678/xTZXKSYuFA?positionInSearchResults=0&searchModelUUID=a7fc341d-e8de-4cf0-bcb8-f1fdef418aa2>

- Law on Unemployment Social Insurance (as amended) <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.224462/oRjScDkSiX?positionInSearchResults=0&searchModelUUID=a7fc341d-e8de-4cf0-bcb8-f1fdef418aa2>
- Law on Benefits for Children (as amended) <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5981/NiXeCTtUDH?positionInSearchResults=0&searchModelUUID=a7fc341d-e8de-4cf0-bcb8-f1fdef418aa2>
- Law on Health Insurance (as amended) <https://www.e-tar.lt/portal/lt/legalAct/TAR.94F6B680E8B8/asr->
- Regulations on Social Insurance Benefits for Unemployment, approved by Resolution of the Government of the Republic of Lithuania No 1656 of 24 December 2004 (as amended) <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.247845/asr>
- Regulations on the Allocation and Payment of Social Insurance Pensions, approved by Order of the Minister of Social Security and Labour of the Republic of Lithuania No A1-670 of 27 December 2017 (as amended) <https://www.e-tar.lt/portal/lt/legalAct/17b5a4f0eb0a11e7acd7ea182930b17f/asr>
- Regulations on Sickness and Maternity Social Insurance Benefits, approved by Resolution of the Government of the Republic of Lithuania No 86 of 25 January 2001 (as amended) <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.119523/asr?positionInSearchResults=6&searchModelUUID=cffa0336-342b-4895-833c-5304b43593d6>
- Rules on Voluntary State Social Insurance, approved by Resolution of the Government of the Republic of Lithuania No 1191 of 28 October 1997 (as amended) <https://www.e-tar.lt/portal/lt/legalAct/TAR.817E451CF5EE/XHebzHcFqB>
- Regulations on Social Insurance Benefits for Accidents at Work and Occupational Diseases, approved by Resolution of the Government of the Republic of Lithuania No 309 of 22 March 2004 (as amended) <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.229036/asr?positionInSearchResults=1&searchModelUUID=cffa0336-342b-4895-833c-5304b43593d6>
- Regulations on the Allocation and Payment of Benefits for Children, approved by Resolution of the Government of the Republic of Lithuania No 801 of 28 June 2004 (as amended) <https://www.e-tar.lt/portal/lt/legalAct/TAR.A1F3B14F0A00/wcrFdvFzWN>

#### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

Law on Health insurance has been amended on 14-01-2021

Lithuania has adopted the Law amending Article 6 of the Health Insurance Act. According to this Law:

- 1) United Kingdom nationals and their family members, who had acquired the right of residence and had legally resided in Lithuania before the end of the transition period, maintain an entitlement to the compulsory health insurance coverage at the same conditions as the EU nationals residing in Lithuania;
- 2) Lithuanian residents studying in the United Kingdom of Great Britain and Northern Ireland shall continue to be insured in Lithuania at the expense of the state budget in case if their studies started before the end of the transitional period.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Please see the list of legal acts in point a.

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

## e. Statistical data

Applicable legislation: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.28356/asr>

Statistics:

### Year 2020:

89 791 EHICs were issued between 1 January and 31 December 2020;

21 531 PRCs were issued between 1 January and 31 December 2020;

17 S1/S072 were issued between 1 January and 31 December 2020. Only one of them was registered by the United Kingdom competent institution;

533 751 EHICs were in circulation on 31 December 2020;

113 S1/S072 were received from the United Kingdom competent institutions between 1 January and 31 December 2020. 110 documents were registered by the territorial health insurance funds.

### Year 2021:

104 552 EHICs were issued between 1 January and 31 December 2021;

28 895 PRCs were issued between 1 January and 31 December 2021;

1 S2 was issued between 1 January and 31 December 2021;

21 S1/S072 were issued between 1 January and 31 December 2021. Only one of them was registered by the United Kingdom competent institution;

572 674 EHICs were in circulation on 31 December 2021;

106 S1/S072 were received from the United Kingdom competent institutions between 1 January and 31 December 2021. 110 documents were registered by the territorial health insurance funds.

On applicable legislation (*Portable Document A1*) - we have no separate statistical data on A1 documents issues according to the provisions of the Withdrawal Agreement.

On pensions - we have no separate statistical data on A1 documents issues according to the provisions of the Withdrawal Agreement.

On unemployment benefits (*Portable Documents U1 and U2*) - we have no separate statistical data according to the provisions of the Withdrawal Agreement.

On family benefits - we have no separate statistical data according to the provisions of the Withdrawal Agreement.

## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

After Brexit, the United Kingdom became a third country. Professional qualifications acquired after Brexit are recognized by the competent authorities of the Republic of Lithuania in accordance with the national rules on the recognition of professional qualifications of third-country nationals acquired in third countries (Article 6<sup>1</sup> of the Law on the Recognition of Regulated Professional Qualifications of the Republic of Lithuania No X-1478 (<https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.318398/asr>)).

Exemption:

Provision which was included into the Law No X-1478 on the Recognition of the Professional Qualifications of the Republic of Lithuania (Article 18 (8)) states:

"8. The competent authorities of the Republic of Lithuania shall, in accordance with their own procedures and the procedures laid down in paragraphs 1 to 7 of this Article, recognize evidence of formal qualifications referred to in paragraph 1 for nationals of Member States, the United Kingdom of Great Britain and Northern Ireland issued no later than one year after the date of the United Kingdom's withdrawal from the European Union."

The above-mentioned provision is valid for 7 harmonised professional qualifications which were gained until 31 January 2021. This provision came into force in 11 April 2019 after the adoption of the Law of the Republic of Lithuania on the Recognition of Regulated Professional Qualifications No. X-1478 amending Article 18 and Annex 1 No XIII-2049

<https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/ede92a4361d511e99684a7f33a9827ac?jfwid=q1nivmhcZ>).

Information can be found also in <https://www.verslietuva.lt/information-relevant-persons-obtained-regulated-professional-qualifications-united-kingdom-uk/>.

If the profession is not regulated the employer will decide, in accordance with his own procedure, on the suitability of the person and of his or her qualification for the job (for example, through staff selection interview, test, etc.).

#### **b. Key legislative instruments adopted or amended in the reporting year**

No such instruments in the reporting year.

#### **c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

The Law on the Recognition of Regulated Professional Qualifications of the Republic of Lithuania No X-1478 (<https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.318398/asr>).

#### **d. Key domestic jurisprudence from the reporting year**

No such jurisprudence in the reporting year.

#### **e. Statistical data**

In 2021, we had no applications for recognition of professional qualifications from United Kingdom nationals.

In 2021, our competent institutions got 9 requests from LT nationals (not United Kingdom nationals) which gained their professional qualifications in United Kingdom:

2 dental assistants: compensation measures imposed (ongoing)

5 dental assistants: not recognised (did not provided documents)

1 dentist: recognised

1 physiotherapist: recognised

## **REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT**

# **Latvia**

## **Report for 2021**

### **1) Residence rights**

Latvia operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications on 1 October 2020. Residence documents have been issued in the EU's uniform physical format form since 4 January 2021. Examination of an application is free of charge, the state duty for a residence eID card is 15 EUR (the same state duty Latvian citizens are charged for national eID cards).

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement is 30 June 2021.

#### **a. Key legislative instruments implementing the Withdrawal Agreement**

Law on Judicial Cooperation and Protection of Persons' Rights during the Transition Period after the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union

**b. Key legislative instruments adopted or amended in the reporting year**

No such instruments in the reporting year.

**c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

No administrative documents have been adopted.

**d. Key domestic jurisprudence from the reporting year**

No such jurisprudence in the reporting year.

**e. Statistical data**

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	950
B	Number of residence applications made in the reporting year	883
B1	Number of in time residence applications made in the reporting year	814
B1a	Number of applications granted as pre-permanent residence	585
B1b	Number of applications granted as permanent residence	229
B1c	Number of applications refused	4
B1c1	Out of B1c, number of applications that were invalid	0
B1c2	Out of B1c, number of applications that were withdrawn by applicants	0
B1d	Total number of in time applications pending at the end of the reporting year	0
B2	Number of late residence applications made in the reporting year	69
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	55
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	14
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	0
B2a1	Number of applications granted as pre-permanent residence	54
B2a2	Number of applications granted as permanent residence	1
B2a3	Number of applications refused	14
B2a3a	Out of B2c3, number of applications that were invalid	0
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	0
B2d	Total number of late applications pending at the end of the reporting year	*0
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

**2) Rights of employed and self-employed frontier workers**

So far there have been no such persons, therefore no special regulation has been developed. If a person applied for and wanted to be a frontier worker, the provisions of the Withdrawal Agreement, in conjunction with the provisions of the law on *Judicial Cooperation and Protection of Persons' Rights during the Transition Period after the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union* would apply.

**a. Key legislative instruments implementing the Withdrawal Agreement**

No legislation needed. If there will be any case of frontier worker – beneficiary of the Withdrawal Agreement, the Withdrawal Agreement would be directly applied.

**b. Key legislative instruments adopted or amended in the reporting year**

No legislative documents have been adopted.

**c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

No administrative documents have been adopted.

**d. Key domestic jurisprudence from the reporting year**

No such jurisprudence in the reporting year.

**e. Statistical data**

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

### **3) Co-ordination of social security schemes**

**a. Key legislative instruments implementing the Withdrawal Agreement**

No legislation needed as the Withdrawal Agreement is directly applied by the national authorities and institutions.

**b. Key legislative instruments adopted or amended in the reporting year**

No such instruments were adopted or amended in the reporting year.

**c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

No such documents were adopted.

**d. Key domestic jurisprudence from the reporting year**

No such jurisprudence in the reporting year.

**e. Statistical data**

Please provide relevant statistical data on:

- Applicable legislation (*Portable Document A1*) – 65 persons, 133 documents
- Cross-border health care (*EHIC, Portable Documents S1 and S2*) – *Latvia has no separate statistical data according to the provisions of the Withdrawal Agreement.*

- Pensions

Number of exported pensions by the reporting Member State paid to pensioners who receive an old-age pension/survivors'/invalidity pension from two or more countries of which one is the reporting Member State and who reside outside the reporting Member State – 11

Number of the exported pensions in case of persons who receive a benefit only from the reporting Member State and reside in another Member State – 1081

- Unemployment benefits (*Portable Documents U1 and U2*)

*U1 – 0*

*U2 – data not compiled by country*

- Family benefits:

State family benefit – 1012

Supplement to the state family benefit for a disabled child – 33

Parental allowance for a child with disabilities (needing special care) – 11

Parental benefit – 33

Child care benefit – 144

Note: all data provisional, as the timeline for yearly statistical data collection framework of the Administrative Commission for the coordination of social security systems is later than the current exercise.

## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

The Law on Regulated Professions and Recognition of Professional Qualifications is applicable for processing of applications for recognition of professional qualifications from third countries.

### b. Key legislative instruments adopted or amended in the reporting year

Amendment in The Law on Regulated Professions and Recognition of Professional Qualifications in Section 43, part three, point 5, adopted on 10 September, 2020, gives possibility to process in shorter period applications for recognition of professional qualifications received from persons who acquired their qualification while the United Kingdom was a Member State of the European Union (<https://likumi.lv/ta/id/317502>).

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance for competent institutions on recognition of professional qualifications after Brexit was published on the Website of The Ministry of Education and Science (<https://www.izm.gov.lv/lv/breksits>).

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	4
A1	Number of applications granted	4
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

# REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

## Luxembourg

### Report for 2021

#### 1) Residence rights

Luxembourg operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications on 1 July 2020. Residence documents have been issued in EU's uniform physical format form since 1 January 2021. Residence documents are issued free of charge.

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement was 31 December 2021.

Luxembourg has put in place more favourable residence conditions, in the sense that the application procedure is simplified and almost automatic.

Luxembourg has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

##### a. Key legislative instruments implementing the Withdrawal Agreement

Loi du 8 avril 2019 portant modification de la loi modifiée du 29 août 2008 sur la libre circulation des personnes et l'immigration (*Law of 8 April 2019 amending the law of 29 August 2008 on the free movement of persons and immigration*) - <https://www.legilux.public.lu/eli/etat/leg/loi/2019/04/08/a242/jo>.

##### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Informative government websites

- <https://gouvernement.lu/en/dossiers/2019/brexit.html>
- <https://guichet.public.lu/en/citoyens/brexit.html>
- <https://guichet.public.lu/en/citoyens/brexit/immigration/document-sejour-ressortissant-britannique-membre-famille.html>
- <https://guichet.public.lu/en/citoyens/brexit/immigration/document-sejour-membre-famille-ressortissant-britannique-pays-tiers.html>
- <https://guichet.public.lu/en/citoyens/brexit/immigration/demande-document-sejour-permanent-ressortissant-britannique-membre-famille-ressortissant-pays-tiers.html>
- <https://guichet.public.lu/en/citoyens/brexit/immigration/document-ressortissant-britannique-droits-travailleur-frontalier.html>
- <https://guichet.public.lu/en/citoyens/brexit/immigration/perte-vol-deterioration-document-sejour-ressortissant-britannique-membre-famille-beneficiaire.html>

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

##### e. Statistical data

Please provide statistical data on:



A	Estimated number of resident beneficiaries of the Withdrawal Agreement	5 300
B	Number of residence applications made in the reporting year	4 521
B1	Number of in time residence applications made in the reporting year	4 521
B1a	Number of applications granted as pre-permanent residence	1 978
B1b	Number of applications granted as permanent residence	2 026
B1c	Number of applications refused	19
B1c1	Out of B1c, number of applications that were invalid	19
B1c2	Out of B1c, number of applications that were withdrawn by applicants	0
B1d	Total number of in time applications pending at the end of the reporting year	498
B2	Number of late residence applications made in the reporting year	Not applicable in the reporting year
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	
B2a1	Number of applications granted as pre-permanent residence	
B2a2	Number of applications granted as permanent residence	
B2a3	Number of applications refused	
B2a3a	Out of B2c3, number of applications that were invalid	
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	
B2d	Total number of late applications pending at the end of the reporting year	
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	3
C1	Number of entry visas granted	3
C2	Number of entry visas applications refused	0
C3	Total number of entry visa applications pending at the end of the reporting year	0

## 2) Rights of employed and self-employed frontier workers

In Luxembourg beneficiaries of the Withdrawal Agreement are not obliged to apply for a document identifying their frontier workers' rights. United Kingdom nationals concerned need to apply to receive such a document.

The frontier worker scheme opened for applications on 1 January 2021. The documents identifying their frontier workers' rights are issued in EU's uniform physical format form. The documents are issued free of charge.

### a. Key legislative instruments implementing the Withdrawal Agreement

Loi du 8 avril 2019 portant modification de la loi modifiée du 29 août 2008 sur la libre circulation des personnes et l'immigration (Law of 8 April 2019 amending the law of 29 August 2008 on the free movement of persons and immigration) - <https://www.legilux.public.lu/eli/etat/leg/loi/2019/04/08/a242/jo>.

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Informative government websites

- <https://gouvernement.lu/en/dossiers/2019/brexit.html>
- <https://guichet.public.lu/en/citoyens/brexit.html>
- <https://guichet.public.lu/en/citoyens/brexit/immigration/document-ressortissant-britannique-droits-travailleur-frontalier.html>
- <https://guichet.public.lu/en/citoyens/brexit/immigration/perte-vol-deterioration-document-sejour-ressortissant-britannique-membre-famille-beneficiaire.html>

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

A	Number of applications made in the reporting year	73
A1	Number of applications granted	48
A2	Number of applications refused	5
A2a	Out of A2, number of applications that were invalid	5
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	20

### 3) Co-ordination of social security schemes

#### a. Key legislative instruments implementing the Withdrawal Agreement

Luxembourg hasn't adopted any specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

#### b. Key legislative instruments adopted or amended in the reporting year

Luxembourg hasn't adopted any specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Informative government websites

<https://guichet.public.lu/en/citoyens/brexit.html>

<https://guichet.public.lu/en/entreprises/brexit.html>

<https://gouvernement.lu/en/dossiers/2019/brexit.html#bloub-4>

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

Luxembourg provides the latest available data communicated to the Administrative Commission (reference year 2020).

- Applicable legislation (*Portable Document A1*)

**Number of PD A1 issued according to Article 12 of Regulation No 883/2004 (receiving country: UK)**

Employed	Art 12	"Self-employed Art 12	Total	Number of 'unique' persons who received a PD A1 (of total)
328		3	331	264

- Cross-border health care (*EHIC, Portable Documents S1 and S2*)

**EHIC: no data for UK**

**PD S1: Number of PD S1 issued in 2020 by the Luxembourg authorities.**

Member State of residence	Status					Total
	<i>Insured person</i>	<i>Pensioner</i>	<i>Pension claimant</i>	<i>Family member (insured)</i>	<i>Family member (pensioner)</i>	

				<i>pers.)</i>		
UK	143	8	0	0	0	151

**Number of PD S1 received in 2020**

Competent Member State	Status					Total
	<i>Insured person</i>	<i>Pensioner</i>	<i>Pension claimant</i>	<i>Family member (insured pers.)</i>	<i>Family member (pensioner)</i>	
UK	19	8	0	1	0	28

**Concerning persons to whom Luxembourg issued a PD S1 and who received sickness benefits in cash (number of cases and amount paid in EUR)**

Member State of residence	Number of cases	Amount paid
UK	4	EUR 3 815,49

**Number of Portable Documents S2 (PD S2) issued for persons to seek planned medical treatment in UK : 4**

**Number of PD S2 received from UK: 1**

- Pensions

**Number and amount (in EUR) of exported pensions by Luxembourg paid to pensioners who receive an old-age pension/survivors'/invalidity pension from two or more countries of which one is Luxembourg and who reside in UK**

Old-age pension		Survivors' pension		Invalidity pension		Total	
<i>Number of persons.</i>	<i>Amount paid</i>	<i>Number of persons.</i>	<i>Amount paid</i>	<i>Number of persons.</i>	<i>Amount paid</i>	<i>Number of persons.</i>	<i>Amount paid</i>
377	418 706	58	66 676	7	6 033	442	491 415

**Number and amount of the exported pensions in case of persons who receive a benefit only from Luxembourg and reside in UK**

Old-age pension		Survivors' pension		Invalidity pension		Total	
<i>Number of persons.</i>	<i>Amount paid</i>	<i>Number of persons.</i>	<i>Amount paid</i>	<i>Number of persons.</i>	<i>Amount paid</i>	<i>Amount paid</i>	<i>Amount paid</i>
32	55 673	12	18 867	2	8 303	46	82 843

- Unemployment benefits (*Portable Documents U1 and U2*)

**U1 : Number of recent migrant workers who became unemployed in the reference year (2020) and received unemployment benefits in Luxembourg on the basis of periods completed in UK**

Length of previous insurance, employment or self-employment completed by those workers in Luxembourg before their application for unemployment benefits	Three months or more (90 days or more)	Total
		4

**U2 : Export of unemployment benefits from Luxembourg in UK in accordance with Article 64 of Regulation (EC) No 883/2004**

Number of PD U2 issued	Reintegration in the labour market	Retour à l'Etat membre compétent
<i>No of PD U2 issued for up to 3 months</i>	<i>No of persons who found work in another MS during the export period</i>	<i>No of persons who returned and registered with the employment services in Luxembourg before the end of the export period</i>
3	1	1

- Family benefits

**Number of persons entitled to a family benefit for members of the family residing in UK, number of family members involved and total related expenditure on the export of family benefits (in EUR)**

Number of entitled persons	Number of family members involved	Total expenditure (in EUR)
<i>Family benefits</i>		
43	74	210 264.05
<i>Birth grant</i>		
/	/	/
<i>Parental leave benefit</i>		
2	2	32 404.75

#### 4) Recognition of professional qualifications

No key legislative instruments specific to implementing the Withdrawal Agreement. The law of 28 October 2016 regarding the recognition of professional qualifications ([loi modifiée du 28 octobre 2016 relative à la reconnaissance des qualifications professionnelles](#)), through which the Directive EC No 36/2005 has been implemented, provides the same framework for recognition of professional qualifications held by EU citizens and third country nationals – provided the applying third country nationals possess a valid residence permit for Luxembourg (Article 3(q)).

##### a. Key legislative instruments implementing the Withdrawal Agreement

No key legislative instruments have been adopted during the reporting year or amended specifically to implement the Withdrawal Agreement, as the legislative framework for recognition of professional qualifications held by third country nationals was already in force.

##### b. Key legislative instruments adopted or amended in the reporting year

No key legislative instruments have been adopted during the reporting year or amended specifically to implement the Withdrawal Agreement, as the legislative framework for recognition of professional qualifications held by third country nationals was already in force.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Not applicable. United Kingdom nationals applying for recognition of professional qualifications since the Withdrawal Agreement has come into force are subject to the same conditions as third country nationals, while the procedure in itself is identical for EU citizens and third country nationals.

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

##### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	55
A1	Number of applications granted	47
A2	Number of applications refused	6
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	2

*Numbers reflect the statistical data available at the time of reporting refer in part to the country of origin of the professional qualification obtained and can by no means be considered exhaustive.*

# REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

## Malta

### Report for 2021

#### 1) Residence rights

Malta operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications on the 17 February 2020. Residence documents have been issued in the EU's uniform physical format form since 17 February 2020. Residence documents are issued free of charge.

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement is 30 June 2021.

Malta has not put in place more favourable residence conditions.

Malta has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

##### a. Key legislative instruments implementing the Withdrawal Agreement

Subsidiary Legislation 217.25 - Residence Status of United Kingdom nationals and their family members in accordance with the Agreement on the Withdrawal of the United Kingdom and Northern Ireland from the European Union and the European Atomic Energy Community Regulations (can be accessed on <https://legislation.mt/eli/sl/217.25/eng>)

##### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

<https://www.identitymalta.com/unit/expatriates-unit/#1611834277145-801c5a32-077c>

<https://www.identitymalta.com/uk-nationals-residence-status-following-brexit/>

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

##### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	13 600
B	Number of residence applications made in the reporting year	3 445
B1	Number of in time residence applications made in the reporting year	2 823
B1a	Number of applications granted as pre-permanent residence	8 684
B1b	Number of applications granted as permanent residence	545
B1c	Number of applications refused	15
B1c1	Out of B1c, number of applications that were invalid	15
B1c2	Out of B1c, number of applications that were withdrawn by applicants	0
B1d	Total number of in time applications pending at the end of the reporting year	0
B2	Number of late residence applications made in the reporting year	622
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	564
B2b	Number of applications where national authorities concluded that there were no reasonable	25

	grounds for not respecting the application deadline	
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	33
B2a1	Number of applications granted as pre-permanent residence	553
B2a2	Number of applications granted as permanent residence	11
B2a3	Number of applications refused	0
B2a3a	Out of B2c3, number of applications that were invalid	25
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	0
B2d	Total number of late applications pending at the end of the reporting year	33
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In Malta beneficiaries of the Withdrawal Agreement are obliged to apply for a document identifying their frontier workers' rights by 30 June 2021. Such documents must be issued upon application.

The frontier worker scheme opened for applications on 17 February 2020. The documents identifying their frontier workers' rights are issued in a digital form. The documents are issued free of charge.

### a. Key legislative instruments implementing the Withdrawal Agreement

Subsidiary Legislation 217.25 - Residence Status of United Kingdom nationals and their family members in accordance with the Agreement on the Withdrawal of the United Kingdom and Northern Ireland from the European Union and the European Atomic Energy Community Regulations (can be accessed on <https://legislation.mt/eli/sl/217.25/eng>).

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

<https://www.identitymalta.com/unit/expatriates-unit/#1611834277145-801c5a32-077c>

<https://www.identitymalta.com/uk-nationals-residence-status-following-brexite/>

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

## 3) Co-ordination of social security schemes

In order to determine if a person is covered by the Withdrawal Agreement, Malta devised internal guidelines for its staff to follow. These guidelines are based upon the implementation guidelines provided by the Commission.

a. Key legislative instruments implementing the Withdrawal Agreement

Malta did not introduce any ad-hoc legislative instruments but relies on the provisions of the Withdrawal Agreement.

b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Malta published its guidelines on the website of the Department of Social Security. These are available [here](#).

d. Key domestic jurisprudence from the reporting year

No domestic case law to report.

e. Statistical data

- Applicable legislation (*Portable Document A1*)

A1 documents issued	Total
United Kingdom	315

Data refers to year 2020 which is the latest statistical data presented to the Administrative Commission.

- Cross-border health care (*EHIC, Portable Documents S1 and S2*)
- Pensions

Breakdown by Member State of residence of the pensioner	Old-age pension		Survivors' pension		Invalidity pension		Total	
	Number of persons (1)	Amount paid (in EUR)	Number of persons	Amount paid (in EUR)	Number of persons	Amount paid (in EUR)	Number of persons	Amount paid (in EUR)
United Kingdom	878	2 728 422	125	602 007	6	24 923	1009	3 355 351

Data refers to year 2020 which is the latest statistical data presented to the Administrative Commission.

- Unemployment benefits (*Portable Documents U1 and U2*)

Member States of origin (i.e. the Member State which issued the PDU1)	1) Number of recent migrant workers who became unemployed in the reference year (2020) and received unemployment benefits in your country on the basis of periods completed in another Member State			Total
	Length of previous insurance, employment or self-employment completed by those workers in your country before their application for unemployment benefits			
	Less than one month (30 days)	More than one month (30 days), but less than three months (90 days)	Three months or more (90 days or more)	

<i>United Kingdom</i>	0	0	1	1
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Malta did not issue any U2 documents to persons who moved to the UK during year 2020.

- Family benefits

Malta did not pay any family benefits in the UK during year 2020.

#### 4) Recognition of professional qualifications

##### a. Key legislative instruments implementing the Withdrawal Agreement

No legislation is required as the Withdrawal Agreement is directly applied by the national authorities and institutions.

##### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

##### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	9
A1	Number of applications granted	8
A2	Number of applications refused	1
A2a	Out of A2, number of applications that were invalid	1
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

## REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

# The Netherlands

### Report for 2021

#### 1) Residence rights

The Netherlands operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications in February 2020. Residence documents have been issued in the EU's uniform physical format form since 2020. Residence documents are issued for a charge of at present 69 EUR.

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement was 30 September 2021.



However, the objective remains to limit the consequences of submitting a late application for United Kingdom nationals. That is why the Netherlands has decided to set a period of one year after 30 September 2021 during which late applications for a residence document will be processed and assessed on the basis of the residence conditions in the WA, without United Kingdom nationals having to provide (excusable) reasons for their late application during this period. If the conditions under the WA are met and the residence document is issued, the UK national's residence status will become lawful with retroactive effect. This means that, for example, benefits and subsidies that have been stopped because of the illegal residence, can be received again with retroactive effect.

Even after this period of one year, United Kingdom nationals who are minors on 1 October 2021 and who apply for a Brexit residence document when they reach the age of 18 years, will not have to provide excusable grounds because the negligence on the part of the parents should not be on the account of the children.

The Netherlands has not put in place more favourable residence conditions.

The Netherlands has made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement. During the first three months of residence, as well as in the extended period in order to seek employment, there is no right to social assistance. We expect that just in a very few cases social assistance is refused on these grounds because the residence period of persons falling under the Withdrawal Agreement is in almost all cases longer.

#### a. Key legislative instruments implementing the Withdrawal Agreement

The starting point is the Withdrawal Agreement.

The Withdrawal Agreement (Residence Rights) has been worked out in the Chapters B13/1, B13/2 and B13/3 of the Vreemdelingen­circulaire. See hyperlink at [wetten.nl - Regeling - Vreemdelingen­circulaire 2000 \(B\) - BWBR0012289 \(overheid.nl\)](https://www.wetten.nl - Regeling - Vreemdelingen­circulaire 2000 (B) - BWBR0012289 (overheid.nl)).

#### b. Key legislative instruments adopted or amended in the reporting year

The legislative instruments implemented this area of the Withdrawal Agreement in the reporting year 2021 are:

The Dutch government extended the application period for submitting an application for the WA-document (the grace period) with 3 months. The deadline for submitting the application on time was extended from 1 July 2021 to 1 October 2021. See hyperlink below:

[Staatscourant 2021, 31591 | Overheid.nl > Officiële bekendmakingen \(officielebekendmakingen.nl\)](https://staatscourant.2021.31591 | Overheid.nl > Officiële bekendmakingen (officielebekendmakingen.nl))

Moreover, the Dutch government decided to process late residence applications until 1 October 2022, regardless of whether there is a reasonable ground for not respecting the application deadline. See hyperlink below:

[Staatscourant 2021, 42134 | Overheid.nl > Officiële bekendmakingen \(officielebekendmakingen.nl\)](https://staatscourant.2021.42134 | Overheid.nl > Officiële bekendmakingen (officielebekendmakingen.nl))

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Chapters B13/1, B13/2 and B13/3 of the Vreemdelingen­circulaire give guidance on the implementation of the Withdrawal Agreement (Residence Rights). See hyperlink at [wetten.nl - Regeling - Vreemdelingen­circulaire 2000 \(B\) - BWBR0012289 \(overheid.nl\)](https://www.wetten.nl - Regeling - Vreemdelingen­circulaire 2000 (B) - BWBR0012289 (overheid.nl)).

#### d. Key domestic jurisprudence from the reporting year

In the year 2021 there were no national key judgements related to this area in the Netherlands.

#### e. Statistical data

In the Netherlands most of the residence applications were submitted and processed in the year 2020.

Until 31 December 2020 also 5 583 holders of an 'EU permanent residence' document were issued a 'Withdrawal Agreement permanent residence' for free document based on exchange. They did not have to submit an application.

The numbers below are related only to the residence applications submitted in the year 2021. With respect to column B2 it is important to know that residence applications were submitted on time until 1 October 2021. Residence applications that were submitted from 1 October 2021 are submitted late. The columns B2b and B3c are not filled in, because the Netherlands decided that in case of late applications until 1 October 2022 the default is that the applicant does not have to provide (excusable) reasons for the late application.

The numbers in the overview below are related to the residence applications submitted in the year 2020 and the decisions on these applications. As a result, data on pending applications at the end of the year (B1d) is not applicable for 2020.

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	45 000
B	Number of residence applications made in the year 2020	34 778
B1a	Number of applications granted as pre-permanent residence	20 043
B1b	Number of applications granted as permanent residence	14 293
B1c	Number of applications refused	187 (including column B1c1 / B1c2 the number is 441)
B1c1	Out of B1c, number of applications that were invalid ( <u>The Netherlands does not use the code 'invalid'</u> but only uses the category 'Overig'. The code 'Overig' means not granted and not refused. This is for example the case when the applicant withdraws the application).	31
B1c2	Out of B1c, number of applications that were withdrawn by applicants	223

*The numbers below are related to the residence applications submitted in the year 2021. With respect to column B2 it is important to know that residence applications were submitted on time until 1 October 2021. Residence applications that were submitted from 1 October 2021 are submitted late. The columns B2b and B3c are not filled in, because the Netherlands decided that in case of late applications until 1 October 2022 the default is that the applicant does not have to provide (excusable) reasons for the late application. In relation to the information regarding visa application under C, it should be noted that it is not possible to distinguish Visa applications based on article 14(3) of the Withdrawal Agreement from regular visa applications for family reunification in the current version of the Dutch visa information systems. As a result, this data is not available.*

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	About 45 000
B	Number of residence applications made in the year 2021	4 720
B1	Number of in time residence applications made in the year 2021	4 420
B1a	Number of applications granted as pre-permanent residence	2 481
B1b	Number of applications granted as permanent residence	1 558
B1c	Number of applications refused	123 (including column B1c1/ B1c2 the number is 327)
B1c1	Out of B1c, number of applications that were invalid ( <u>The Netherlands does not use the code 'invalid'</u> but only uses the category 'Overig'. The code 'Overig' means not granted and not refused. This is for example the case when the applicant withdraws the application).	60

B1c2	Out of B1c, number of applications that were withdrawn by applicants	144
B1d	Total number of in time applications pending at the end of the reporting year	54
B2	Number of late residence applications made in the year 2021	300
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	300
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	0
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	0
B2a1	Number of applications granted as pre-permanent residence	41
B2a2	Number of applications granted as permanent residence	99
B2a3	Number of applications refused	6 (including column B2a3a/B2a3b the number is 27)
B2a3a	Out of B2c3, number of applications that were invalid ( <u>The Netherlands does not use the code 'invalid' but only uses the category 'Overig'. The code 'Overig' means not granted and not refused. This is for example the case when the applicant withdraws the application).</u>	2
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	19
B2d	Total number of late applications pending at the end of the year 2021	133
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In the Netherlands beneficiaries of the Withdrawal Agreement are obliged to apply for a document identifying their frontier workers' rights. There is no deadline for submitting this application.

The frontier worker scheme opened for applications on 1 October 2020. The documents identifying their frontier workers' rights are issued in a physical form. For applications submitted from 1 October 2021 the documents are issued for a charge of at present 69 EUR.

### a. Key legislative instruments implementing the Withdrawal Agreement

The Withdrawal Agreement (Rights of frontier workers) has been worked out in the Chapters B13/4 of the Vreemdelingencirculaire. See hyperlink at [wetten.nl - Regeling - Vreemdelingencirculaire 2000 \(B\) - BWBR0012289 \(overheid.nl\)](https://wetten.nl/Regeling-Vreemdelingencirculaire-2000-B-BWBR0012289-overheid.nl).

### b. Key legislative instruments adopted or amended in the reporting year

In the Netherlands the application for a document identifying frontier workers' rights is issued for a charge from 1 October 2021. Before 1 October 2021 applications submitted for the document identifying frontier workers' rights

were free of charge. See hyperlink at [Staatscourant 2021, 42134 | Overheid.nl > Officiële bekendmakingen \(officielebekendmakingen.nl\)](#).

**c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

Chapter B13/4 of the Vreemdelingencirculaire gives guidance on the implementation of the Withdrawal Agreement (Rights of frontier workers). See hyperlink at [wetten.nl - Regeling - Vreemdelingencirculaire 2000 \(B\) - BWBR0012289 \(overheid.nl\)](#).

**d. Key domestic jurisprudence from the reporting year**

In the year 2021 there were no national key judgements related to this area in the Netherlands.

**e. Statistical data**

In the Netherlands it was already possible to submit an application from October 2020. The numbers in the overview below are related to the applications submitted in the year 2020 and the decisions on these applications.

A	Number of applications made in the year 2020	722
A1	Number of applications granted	444
A2	Number of applications refused	162 (including the column A2b the number is 278)
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	116

*The numbers in the overview below are related to the applications submitted in the year 2021 and the decisions on these applications*

A	Number of applications made in the year 2021	880
A1	Number of applications granted	541
A2	Number of applications refused	215 (including the column A2b the number is 328)
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	113
A3	Number of applications that are still pending at the end of the reporting year	11

**3) Co-ordination of social security schemes**

**a. Key legislative instruments implementing the Withdrawal Agreement**

The Netherlands has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

**b. Key legislative instruments adopted or amended in the reporting year**

No such instruments in the reporting year.

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

e. Statistical data

- Applicable legislation (Portable Document A1)

In 2020 528 A1 certificates (whereof 468 employed and 60 self-employed) were issued according to Article 12 of Regulation (EC) No 883/2004 for postings from the Netherlands to the United Kingdom.

- Cross-border health care (EHIC, Portable Documents S1 and S2)

2020 data

**Electronic Health Insurance Card**

The number of Dutch insured persons receiving sickness benefits during their stay in the United Kingdom is 1 327, total amount paid EUR 1 676 792,66.

The number of residents of the United Kingdom receiving sickness benefits during their stay in the Netherlands is 9 750, total amount received EUR 3 943 068.37.

**Portable Document S1**

Number of Portable Document S1 issued by the authorities in the Netherlands in 2020 with the United Kingdom as Member State of residence; 157 → Status:

- Insured person 31
- Pensioner 118
- Family member of insured person 3
- Family member of pensioner 5

Total number of Portable Document S1 issued by the authorities in the Netherlands and still valid on 31 December 2020 (regardless of the year when they were issued), with the United Kingdom as Member State of residence; 1 405 → Status:

- Insured person 166
- Pensioner 1 050
- Family member of insured person 3
- Family member of pensioner 186

Number of Portable Document S1 received in 2020 by the authorities in the Netherlands, with the United Kingdom as competent Member State; 695 → Status:

- Insured person 373
- Pensioner 70
- Family member of insured person 244
- Family member of pensioner 8

Total number of Portable Document S1 received by the authorities in the Netherlands and still valid on 31 December 2020 (regardless of the year when they were issued), with the United Kingdom as competent Member State; 1 037 → Status

- Insured person 413
- Pensioner 285
- Family member of insured person 317
- Family member of pensioner 22

Reimbursement claims and amounts for persons registered in the Netherlands with a PD S1 who received sickness benefits in kind for which the United Kingdom is the competent member state; 4 266 claims, total amount paid EUR 2 441 370.99

Reimbursement claims and amounts for persons to whom the Netherlands issued a PD S1, who received sickness benefits in kind in the United Kingdom; 91 claims, total amount to receive EUR 8 077 907.94

### **Portable Document S2**

The number of Portable Document S2 the Netherlands has issued for persons to seek planned medical treatment in the UK is 5. The number of insured persons who received planned medical treatment in the Netherlands by means of a PD S2 issued by the UK is 11.

The amount to be paid for planned healthcare received in the United Kingdom by persons with a PD S2 issued by the Dutch institutions is EUR 49 588.75 for 18 forms. There is no significant information available about the amount to be received by the Dutch institutions for persons from the United Kingdom that have received planned healthcare in the Netherlands.

#### - Pensions

##### 2020 data

Pensions exported from the Netherlands in case of persons, residing in the UK, who receive pensions from two or more countries.

Old-age pension: 11 765 pensions, total amount paid EUR 32 318 062

Survivors pension: 57 pensions, total amount paid EUR 354 584

Pensions exported from the Netherlands in case of persons, residing in the United Kingdom, who receive only Dutch pension.

Old-age pension: 933 pensions, total amount paid EUR 4 458 538

Survivors pension: 1 pensions, total amount paid EUR 5 888

Total old-age pension: 12 698 pensions, total amount paid EUR 36 776 600

Total survivors pension: 58 pensions, total amount paid EUR 360 472

#### - Unemployment benefits (Portable Documents U1 and U2)

Number of recent migrant workers who became unemployed in 2020 and received unemployment benefits in the Netherlands on the basis of periods completed in the United Kingdom: 11 (whereof 3 were insured, employed or self-employed less than one month, 1 more than one month but less than three months, and 7 more than three months).

Export of unemployment benefits from the Netherlands in accordance with Article 64 of Regulation No 883/2004: 34 PD U2 forms were issued in 2020 for up to three months, where the United Kingdom was the receiving Member State. One person found work in another Member State during export period.

Export of unemployment benefits from the UK in accordance with Article 64 of Regulation No 883/2004: 3 PD U2 forms were issued in 2020 for up to three months, where the Netherlands was the receiving Member State. One person found work in another Member State during export period.

#### - Family benefits

##### 2020 data

Algemene Kinderbijslagwet (AKW): 177 entitled persons working and/or residing in Netherlands (151 primarily competent), 480 family members involved residing in UK (406 primarily competent), total expenditure EUR 494 921 (EUR 449 274 primarily competent)

Kinderopvangtoeslag (KOT): total expenditure EUR 120 936 (EUR 120 936 primarily competent)

Wet kindgebondenbudget (Wkb): 78 entitled persons working and/or residing in Netherlands (59 primarily competent), 159 family members involved residing in the United Kingdom (115 primarily competent), total expenditure EUR 264 576 (EUR 199 713 primarily competent).

2 entitled persons working or residing in the United Kingdom, with 6 family members residing in the Netherlands, total expenditure EUR 4 131, all primarily competent.

#### 4) Recognition of professional qualifications

##### a. Key legislative instruments implementing the Withdrawal Agreement

The Netherlands has adopted no specific legislative instruments to implement the Withdrawal Agreement to transpose the recognition of professional qualifications. Its rules are applied directly.

##### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

[Ik ben Brit en woon in Nederland. Wat gebeurt er na de Brexit met de erkenning van mijn beroepskwalificatie? | Rijksoverheid.nl](#)

[Working in the Netherlands or another EU country | Nuffic](#)

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

##### e. Statistical data

The Netherlands could not yet provide the data requested.

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	Data not available
A1	Number of applications granted	
A2	Number of applications refused	
A2a	Out of A2, number of applications that were invalid	
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	

## REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

# Poland

## Report for 2021

### 1) Residence rights

Poland operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on 1 January 2021. Residence documents have been issued in the EU's uniform physical format form since February 2021. Residence documents are issued free of charge.

United Kingdom nationals are not obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status. Such document must be issued upon voluntary application]. However, registration requirement already in use for EU citizens, for those not registered by 31 December 2020 or those who had not applied for such registration before 31 December 2020 applies. Deadline the same as for EU citizens - the day following the lapse of 3 months from the date of entry.

Third-country family members of United Kingdom nationals are not obliged to register as Withdrawal Agreement beneficiaries/apply for a residence document attesting their new residence status. However, obligation to apply for a residence card of UK citizen family member already in use for third country family members of EU citizens applies for those not possessing residence card of EU citizen family member issued until 31 December 2020 or those who had not applied for such document before 31 December 2020. Deadline the same as for third country family members of EU citizens - the day following the lapse of 3 months from the date of entry.

United Kingdom nationals were able to use their old residence documents issued under EU law on free movement of EU citizens until 31 December 2021.

Poland has not put in place more favourable residence conditions for Withdrawal Agreement beneficiaries other than those applied to EU citizens. In practice more simplified approach is applied to beneficiaries of WA possessing residence documents issued under the Directive (EC) No 38/2004 until 31 December 2020 as we are focusing on their right of residence before the end of transition period and not also at the time of issue of the new residence document.

Poland has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Act of 10 December 2020 amending the Act on the entry into the territory of the Republic of Poland, residence and departure from this territory of citizens of the European Union Member States and their family members and some other acts (Journal of Laws, item 2369) is available here: <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200002369>.

Act of 14 July 2006 on the entry into the territory of the Republic of Poland, stay and departure from this territory of citizens of the European Union Member States and their family members (Consolidated version, Journal of Laws of 2021, item 1697) is available here (in Annex of the Notice of the Marshal of the lower house of Parliament of the Republic of Poland): <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001697>.

Regulation of the Minister of the Interior and Administration of 29 December 2020 on applications and documents regarding the right of residence in the territory of the Republic of Poland of citizens of the United Kingdom of Great Britain and Northern Ireland and their family members (Journal of Laws of 2020, item. 2450) is available here: <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200002450>.

Regulation of the Minister of the Interior and Administration of 29 December 2020 on applications and documents regarding the right of permanent residence in the territory of the Republic of Poland of citizens of the United Kingdom of Great Britain and Northern Ireland and their family members (Journal of Laws of 2020, item. 2443) is available here: <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200002443>.

#### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Office for Foreigners websites: Brexit - Office for Foreigners - Gov.pl website ([www.gov.pl/udsc-en/brexit](http://www.gov.pl/udsc-en/brexit)).

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.



## e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	6 500
B	Number of residence applications made in the reporting year	4 172
B1	Number of in time residence applications made in the reporting year	Not applicable
B1a	Number of applications granted as pre-permanent residence	2 291
B1b	Number of applications granted as permanent residence	963
B1c	Number of applications refused	170
B1c1	Out of B1c, number of applications that were invalid	63
B1c2	Out of B1c, number of applications that were withdrawn by applicants	Data not available
B1d	Total number of in time applications pending at the end of the reporting year	908
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In Poland beneficiaries of the Withdrawal Agreement are obliged to apply for a document identifying their frontier workers' rights by 31 December 2021.

The frontier worker scheme opened for applications on 1 January 2021. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued free of charge.

### a. Key legislative instruments implementing the Withdrawal Agreement

Art. 15 of the Act of 10 December 2020 amending the Act on the entry into the territory of the Republic of Poland, residence and departure from this territory of citizens of the European Union Member States and their family members and some other acts (Journal of Laws, item 2369) is available here: <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200002369>.

Art. 65c-65g of the Act of 14 July 2006 on the entry into the territory of the Republic of Poland, stay and departure from this territory of citizens of the European Union Member States and their family members (Consolidated version, Journal of Laws of 2021, item 1697) is available here (in Annex of the Notice of the Marshal of the lower house of Parliament of Poland): <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20210001697>.

Application for registration of residence applied also to frontier workers is specified in regulation of the Minister of the Interior and Administration of 29 December 2020 on applications and documents regarding the right of residence in the territory of the Republic of Poland of citizens of the United Kingdom of Great Britain and Northern Ireland and their family members (Journal of Laws of 2020, item. 2450) is available here: <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200002450>.

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Office for Foreigners websites: Brexit - Office for Foreigners - Gov.pl website ([www.gov.pl/udsc-en/brexit](http://www.gov.pl/udsc-en/brexit)).

- Rules of stay of United Kingdom citizens in Poland after Brexit Withdrawal Agreement and transition period, After the end of the transition period, After the end of the transition period, Frontier workers.

- Information on work or self-employed activity by United Kingdom nationals, Frontier workers.

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

A	Number of applications made in the reporting year	18
A1	Number of applications granted	7
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	10 (they were issued documents under Article 18(4) WA)
A3	Number of applications that are still pending at the end of the reporting year	1

### 3) Co-ordination of social security schemes

#### a. Key legislative instruments implementing the Withdrawal Agreement

There are no legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems, except the area of health care services where the implementing act was introduced to include in the scope of the relevant domestic legislation the United Kingdom nationals covered by the Withdrawal Agreement.

USTAWA z dnia 17 listopada 2021 r. o zmianie ustawy o świadczeniach opieki zdrowotnej finansowanych ze środków publicznych oraz niektórych innych ustaw (Dz. U. z 2021 r. poz. 2120).[ Act of November 17, 2021 amending the Act on health care services financed from public funds and certain other acts (Journal of Laws of 2021, item 2120).]

<https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20210002120/O/D20212120.pdf>.

Consolidated text:

USTAWA z dnia 27 sierpnia 2004 r. o świadczeniach opieki zdrowotnej finansowanych ze środków publicznych (Dz. U. z 2021 r. poz.1285, z późn. zm.). [Act on healthcare services financed from the public funds of 27 August 2004 (Journal of Laws of 2021, item 1285)]

<https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20042102135/U/D20042135Lj.pdf>.

#### b. Key legislative instruments adopted or amended in the reporting year

No legal acts have been introduced or changed for the purposes of implementing the Withdrawal Agreement in the field of coordination of social security systems, except the area of health care services where the domestic implementing act was introduced to include in the scope of the relevant domestic legislation the United Kingdom nationals covered by the Withdrawal Agreement.

USTAWA z dnia 17 listopada 2021 r. o zmianie ustawy o świadczeniach opieki zdrowotnej finansowanych ze środków publicznych oraz niektórych innych ustaw (Dz. U. z 2021 r. poz. 2120).[ ACT of November 17, 2021 amending the Act on health care services financed from public funds and certain other acts (Journal of Laws of 2021, item 2120).]

<https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20210002120/O/D20212120.pdf>.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

As regards the applicable legislation, information on the procedure for issuing PD A1 during the transitional period (“BREXIT and issuing PD A1”) has been published:

<https://www.zus.pl/baza-wiedzy/biezace-wyjasnienia-komorek-merytorycznych/-/publisher/details/4/brexit-a-wydawanie-zaswiadczen-a1/31514966>.

As regards the granting and payment of benefits, information was published on the method of payment of benefits during the transitional period (“Withdrawal of the United Kingdom from the European Union and the right to a retirement pension or disability pension”):

<https://www.zus.pl/o-zus/aktualnosci/-/publisher/aktualnosc/5/wystapienie-wielkiej-brytanii-z-unii-europejskiej-a-prawo-do-emerytury-lub-renty/31276900>.

Information campaign on the Withdrawal Agreement: the information campaign conducted by the National Health Fund (NFZ) consists mainly in making available and updating information on the NFZ website: Information on Brexit is available at: <https://www.nfz.gov.pl/dlapacjenta/nasze-zdrowie-w-ue/brexit/> - both in Polish and English language version and is being continuously verified. This information is also available on the websites of individual regional branches of the NFZ.

Communication for service providers on the right to benefits in Poland by persons insured in the UK along with specimens of obligatory British EHIC cards is available on: <https://www.nfz.gov.pl/aktualnosci/aktualnoscicentrali/komunikat-dla-swiaadczeniodawcow.7909.html>.

Information on Brexit is also available at: <https://pacjent.gov.pl/aktualnosc/brexit-jak-korzystac-ze-swiaadczen-zdrowotnych>.

#### d. Key domestic jurisprudence from the reporting year

Poland has not recorded any judgements related to this area of the Withdrawal Agreement.

#### e. Statistical data<sup>7</sup>

##### - Applicable legislation (*Portable Document A1*)

- 1 832 PD A1 under Art. 12 (1) 1 of Regulation (EC) No 883/2004 - for employees
- 27 PD A1 under Art. 12 (2) of Regulation (EC) No 883/2004 – for self-employed persons

##### - Cross-border health care (*EHIC, Portable Documents S1 and S2*)

In 2021 provincial branches of the NFZ issued a total of 1 759 581 EHICs, of which for 689 the United Kingdom was indicated (declaratively) as the declared country (State of stay). For 1 609 932 EHICs the country of stay was not specified.

##### **Number of persons - holders of old EHIC/UK or EHIC/CRA or Provisionally Replacing Certificate (PRC) who benefited from healthcare services in the territory of Poland in 2021:**

Regional branches of the NFZ, following the fact of having used healthcare benefits in the territory of Poland in 2021 on the basis of British EHICs or PRC, issued a total of 25 622 E 125 PL forms. The number of forms is similar to the number of eligible persons from the United Kingdom who received healthcare benefits on the territory of Poland. When reporting, the NFZ did not distinguish EHIC/UK and EHIC/CRA or GHIC as separate categories of entitlement documents.

- **PDS1**

##### **Number of S1 portable documents issued to persons insured in Poland and residing in the UK/changing their place of residence:**

In 2021, regional branches of the NFZ (NFZ OWs) issued a total of 54 S1 entitlement documents (or their electronic equivalents) addressed to the United Kingdom, of which 53 were valid on 31 December 2021. On 31 December 2021, 1 753 S1 entitlement documents (or their electronic equivalents) issued by NFZ OWs and addressed to the United Kingdom remained valid.

##### **Number of S1/UK portable documents registered by regional branches of the NFZ:**

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<sup>7</sup> All data covers the reporting period from 1 January to 31 December 2021.

In 2021, a total of 1 428 United Kingdom S1 portable documents were registered by regional branches of NFZ, of which 1 169 were valid on 31 December 2021. On 31 December 2021, 2 367 United Kingdom total S1 portable documents registered by regional branches of NFZ remained valid until 31 December 2021.

- **PDS2**

**Number of S2 documents issued for elective medical care within the UK:**

In 2021, the NFZ issued a total of 7 S2-type portable documents with an indication of the place of provision of benefits in kind in the UK territory.

- **Number of persons - S2/UK holders who received planned healthcare services on the territory of Poland in 2021:**

Regional branches of the NFZ, following the fact of benefiting from healthcare services on the territory of Poland on the basis of the British S2/E112 entitlement document, issued a total of 201 E 125 PL forms. The number of forms is similar to the number of persons entitled from Great Britain who used health care services on the territory of Poland.

- **Pensions**

1. 31 649 pensions and disability pensions were paid to the United Kingdom in the amount of PLN 60 801 706, including:

- 27 203 pensions for the amount of PLN 52 701 113
- 307 disability pensions (excluding accidents) in the amount of PLN 414 624
- 167 pensions due to incapacity to work in the amount of PLN 498 219
- 3 932 survivors' pensions (excluding accidents) in the amount of PLN 7 066 642
- 40 accident survivors' pensions for the amount of PLN 121 106

2. 5 725 applications for Polish old-age and disability pensions were submitted by persons residing in the territory of the United Kingdom, including

- 1 379 first-time applications for Polish old-age and disability pensions
- 4 346 applications requiring replacement decisions.

- **Unemployment benefits (*Portable Documents U1 and U2*)**

PD U1: 9

PD U2: 62

- **Family benefits**

Number of requests for coordination with the United Kingdom: 20 724

## **d. Recognition of professional qualifications**

### **a. Key legislative instruments implementing the Withdrawal Agreement**

Poland has not adopted any domestic legislative measures in this respect. The Withdrawal Agreement directly applies. The validity and effectiveness of the decisions on the recognition of professional qualifications and right to practice and to continue practicing the relevant profession and activities in their host State or State of work for the persons concerned are provided. The persons concerned can enjoy the rights provided for in those decisions.

### **b. Key legislative instruments adopted or amended in the reporting year**

Poland has not adopted any domestic legislative measures in this respect. The Withdrawal Agreement directly applies.

### **c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

No administrative documents have been adopted.

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	0
A1	Number of applications granted	30
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

## REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

# Portugal

## Report for 2021

### 1) Residence rights

Portugal operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on the 3 December 2020. Residence documents have been issued in the EU's uniform physical format since February 2022. Residence documents are issued for a charge of 15 EUR for temporary residence status holders, 18 EUR for permanent residence status holders, and 35 EUR for urgent residence card requests.

United Kingdom nationals are obliged to register as Withdrawal Agreement beneficiaries and apply for a residence document attesting their new residence status. Such document must be issued upon voluntary application.

After registering on the Brexit Portal, United Kingdom nationals download a QR Code certifying their residence in national territory, while waiting for their residence document to be issued. They will then have to book an appointment for the collection of their biometric data which will allow the issuance of their residence document.

Third-country family members of United Kingdom nationals are obliged to register as Withdrawal Agreement beneficiaries and apply for a residence document attesting their new residence status.

United Kingdom nationals are able to use their old residence documents issued under EU law on free movement of EU citizens until their new residence document is issued.

Portugal has put in place more favourable residence conditions, opting for a more simplified procedure which guarantees the residence rights of United Kingdom nationals. To do so, as stated above, citizens simply need to register on the Brexit Portal and download the QR Code, which constitutes proof of residence while waiting for the new residence document to be issued. Nevertheless, this quality can be demonstrated by any means of proof.

Portugal has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Ordinance n.º 225/2020, of 29 September, adopting the uniform format for residence documents provided to United Kingdom nationals who are beneficiaries of the Withdrawal Agreement. The text is available [here](#).

### b. Key legislative instruments adopted or amended in the reporting year

Ordinance n.º 1/2022, of 04 January, setting the fees payable for administrative procedures related to the residence documents to be issued to United Kingdom nationals and their family members. The text is available [here](#).

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

General guidance on new residence permits for United Kingdom nationals under the Withdrawal Agreement. Consolidated version in Portuguese is available [here](#) and English version of the guidance document is available [here](#).

Frequently asked questions about the implementation of the Withdrawal Agreement. Consolidated version in Portuguese available [here](#) and English version is available [here](#).

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	34 500
B	Number of residence applications made in the reporting year	17 311
B1	Number of in time residence applications made in the reporting year	17 311
B1a	Number of applications granted as pre-permanent residence	0
B1b	Number of applications granted as permanent residence	0
B1c	Number of applications refused	0
B1c1	Out of B1c, number of applications that were invalid	0
B1c2	Out of B1c, number of applications that were withdrawn by applicants	0
B1d	Total number of in time applications pending at the end of the reporting year	776
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	1 169
C1	Number of entry visas granted	873
C2	Number of entry visas applications refused	0
C3	Total number of entry visa applications pending at the end of the reporting year	296

## 2) Rights of employed and self-employed frontier workers

We have no indication of any United Kingdom nationals who could be qualified as frontier workers in Portugal.

### a. Key legislative instruments implementing the Withdrawal Agreement

Nothing to report. No legislation is needed as the Withdrawal Agreement is directly applied by the national authorities and institutions.

### b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

### e. Statistical data

A	Number of applications made in the reporting year	Data not available
A1	Number of applications granted	
A2	Number of applications refused	

A2a	Out of A2, number of applications that were invalid	
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	

### 3) Co-ordination of social security schemes

#### a. Key legislative instruments implementing the Withdrawal Agreement

Portugal has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly. Guidance has been provided to the competent institutions - see field 3.c.

#### b. Key legislative instruments adopted or amended in the reporting year

Portugal has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Circular no. 2/2021 from 12 February providing additional guidance on aspects pertaining to the co-ordination of social security systems after the end of the transition period, amending Circular no. 5/2020 from 30 December. The text of the amending circular letter is available [here](#), while the amended circular letter is available [here](#). English translations can be found [here](#) and [here](#).

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

- Applicable legislation (Portable Document A1)
  - *Portable Documents A1 issued in accordance with Article 12 of Regulation (EC) No 883/2004: 557.*
  - *Portable Documents A1 issued in accordance with Article 13 of Regulation (EC) No 883/2004: 225.*
  - *Portable Documents A1 issued in accordance with Article 16 of Regulation (EC) No 883/2004: 1.*
  - *Requests received from the United Kingdom for exceptional agreements under Article 16 of Regulation (EC) No 883/2004: 10.*
- Cross-border health care (EHIC, Portable Documents S1 and S2)
  - *Portable Documents S1 issued to the United Kingdom: 12 (breakdown by type of insured persons is not yet available).*
  - *Portable Documents S2: in 2021, no Portable Documents S2 have been issued for National Health System Users to receive planned healthcare in the United Kingdom.*
- Pensions

Total number and amount of the exported pensions from Portugal to pensioners who reside in the UK:

2021	TOTAL	
	# Beneficiaries	AMOUNT
January	986	EUR 268 712
February	992	EUR 279 931
March	1 006	EUR 291 866
April	998	EUR 265 718

May	1 014	EUR 291 293
June	1 014	EUR 282 203
July	1 014	EUR 537 340
August	1 022	EUR 326 619
September	1 014	EUR 267 356
October	1 034	EUR 279 031
November	1 022	EUR 340 800
December	1 041	EUR 641 498
<b>TOTAL</b>		EUR 4 072 367

- Unemployment benefits (Portable Documents U1 and U2)

- *Portable Documents U1 received from the UK:* 13.
- *Portable documents U1 issued to the UK:* 4.
- *Portable Documents U2 received from the UK:* 4.
- *Portable Documents U2 issued to the UK:* since a breakdown by State is not available we cannot provide specific data for the UK..

- Family benefits

Number of persons entitled to a family benefit for members of the family residing in the UK, number of family members involved and total related expenditure on the export of family benefits (breakdown by primarily or secondarily competent State or by status of the person is not available)

Type of family benefit	Number of entitled persons	Number of family members involved	Total expenditure
Family allowance for children and young persons	509	792	567.188,75€
Increase due to handicap	20	21	18066,49€
Prenatal family allowance	56	56	36537,23€
Special education allowance	2	7	7.472,79€
Funeral grant	3	3	659,88€

## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

Portugal has not adopted specific legislative instruments to implement the Withdrawal Agreement on the field of recognition of qualifications, since, as a general rule, United Kingdom nationals, regardless of where they acquired their qualifications, and EU citizens with qualifications acquired in the United Kingdom, will have their qualifications recognised in the relevant Member State, based on the existing rules in each country applicable to the qualifications of third-country nationals. No specific need of new legislation was identified, therefore all cases presented were or are being treated under the already existing national legislative instruments.

The national legal regime of the recognition of professional qualifications obtained in the European Union and in the European Economic Area was approved by [Law no. 9/2009, of March 4](#), amended by Laws no. [41/2012, of August 28](#), no. [25/2014, of May 2](#) and no. [26/2017, of May 30](#), and, more recently, by Law no. [31/2021, of May 24](#), which



transposed to the Portuguese legal system the Directive (EC) No 36/2005 on the recognition of professional qualifications, as amended by Directive (EU) No 55/2013.

The Directorate-General for Employment and Industrial Relations (DGERT) is the coordination Authority on the application of Directive (EC) No 36/2005, and has also been designated as the “Assistance centre” foreseen in the legal regime, in by [Order No. 6518-A/2019, of 18 July](#).

#### b. Key legislative instruments adopted or amended in the reporting year

See above.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No administrative documents have been adopted.

DGERT (*Direção Geral do Emprego e das Relações de Trabalho*), acting as the national coordination Authority, works closely with the 46 competent authorities participating in the national system for the recognition of professional qualifications.

In the reference year, the guidelines given by the European Commission in the Group of Coordinators for the Recognition of Professional Qualifications were passed on by DGERT to the 46 Portuguese competent authorities and to other entities that are an integral part of the system of recognition of professional qualifications in order to safeguard the rights of citizens and the reciprocity of treatment.

During the reference year there were no constraints raised by the competent authorities and entities involved in the system of recognition of qualifications, no complaints/reclamations either by United Kingdom nationals in Portugal or by Portuguese citizens in the United Kingdom, namely within the SOLVIT network.

More information at <https://www.dgert.gov.pt/reconhecimento-das-qualificacoes-profissionais>

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

The statistical data below was collected in line with the provisions of “Title III – Freedom of Establishment – General system for the recognition of evidence of training” in the Directive (EC) No 36/2005.

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	64
A1	Number of applications granted	46
A2	Number of applications refused	7
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	11

# REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

## Romania

### Report for 2021

#### 1) Residence rights

Romania operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications on 1 December 2020. Residence documents have been issued in the EU's uniform physical format form since 1 January 2021. Residence documents are issued free of charge.

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement was 31 December 2021. Beyond the aforementioned time limit, the late applications shall continue to be received in accordance with the provisions of Article 18(1)(d) of the Withdrawal Agreement.

Romania has not put in place more favourable residence conditions.

Romania has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

##### a. Key legislative instruments implementing the Withdrawal Agreement

Emergency Government Ordinance no. 204/2020 establishing measures for the implementation of the Withdrawal Agreement regarding the right of entry and stay on Romanian territory. Consolidated version is available [here](#) and courtesy English translation of the original Act (not the current version) is available [here](#).

##### b. Key legislative instruments adopted or amended in the reporting year

Law no. 77/12.04.2021 for the approval of Emergency Government Ordinance no. 204/2020. The text is available [here](#).

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance was provided to the territorial structures of the General Inspectorate for Immigration and the General Inspectorate of Border Police regarding the rights of United Kingdom nationals who are beneficiaries of the Withdrawal Agreement (*not public*).

In order to ensure the necessary assistance to vulnerable persons, the Ministry of Interior also sent guidance documents to the national authorities responsible in this field (eg. the National Authority for the Rights of Persons with Disabilities, Children and Adoptions / Directorate for the Protection of Children's Rights/National Administration of Penitentiaries) containing information on requirements for obtaining the new residence status, administrative procedures and deadlines for United Kingdom nationals who are beneficiaries of the Withdrawal Agreement (*not public*).

Guidance was issued to Romanian Missions and General Consulates on the implementation of Article 14(3) of the Withdrawal Agreement (*not public*). Public information can be found [here](#).

Public guidelines on the implementation of the Withdrawal Agreement are not available in the form of a document. Relevant information is available on the website of the competent institution. Consolidated version is available [here](#) and courtesy English translation of the website is available [here](#). Following the individual letters sent by the competent authorities to all UK residents in Romania on the requirements for obtaining the new residence status, administrative procedures and deadlines, similar efforts were deployed in 2021 aimed at ensuring a better outreach to UK students enrolled in Romanian universities and UK nationals employed by large corporations (*not public*).

#### d. Key domestic jurisprudence from the reporting year

No such judgements were issued in the reporting year.

#### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	3 000
B	Number of residence applications made in the reporting year	1 684
B1	Number of in time residence applications made in the reporting year	1 684
B1a	Number of applications granted as pre-permanent residence	1 412
B1b	Number of applications granted as permanent residence	223
B1c	Number of applications refused	1
B1c1	Out of B1c, number of applications that were invalid	0
B1c2	Out of B1c, number of applications that were withdrawn by applicants	0
B1d	Total number of in time applications pending at the end of the reporting year	48
B2	Number of late residence applications made in the reporting year	Not applicable in the reporting year
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	
B2a1	Number of applications granted as pre-permanent residence	
B2a2	Number of applications granted as permanent residence	
B2a3	Number of applications refused	
B2a3a	Out of B2c3, number of applications that were invalid	
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	
B2d	Total number of late applications pending at the end of the reporting year	
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	0
C1	Number of entry visas granted	0
C2	Number of entry visas applications refused	0
C3	Total number of entry visa applications pending at the end of the reporting year	0

## 2) Rights of employed and self-employed frontier workers

In Romania, beneficiaries of the Withdrawal Agreement needed to apply for a document identifying their frontier workers' rights by 31 December 2021.

The frontier worker scheme opened for applications on 1 December 2020. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued free of charge.

#### a. Key legislative instruments implementing the Withdrawal Agreement

Emergency Government Ordinance no. 204/2020 establishing measures for the implementation of the Withdrawal Agreement regarding the right of entry and stay on Romanian territory. Consolidated version is available [here](#) and courtesy English translation of the original Act (not the current version) is available [here](#).

#### b. Key legislative instruments adopted or amended in the reporting year

Law no. 77/12.04.2021 for the approval of Emergency Government Ordinance no. 204/2020. The text is available [here](#).

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance was provided to the territorial structures of the General Inspectorate for Immigration and the General Inspectorate of Border Police regarding the rights of the frontier workers (*not public*).

Public guidelines on the implementation of the Withdrawal Agreement are not available in the form of a document. Relevant information is available on the website of the competent institution. Consolidated version is available [here](#) and courtesy English translation of the website is available [here](#).

#### d. Key domestic jurisprudence from the reporting year

No such judgements were issued in the reporting year.

#### e. Statistical data

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

### 3) Co-ordination of social security schemes

#### a. Key legislative instruments implementing the Withdrawal Agreement

Romania has not adopted specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

#### b. Key legislative instruments adopted or amended in the reporting year

Romania has not adopted specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Both the National Health Insurance House (CNAS) and the Ministry of Labour have disseminated to the subordinated institutions internal guidelines on the implementation of the Withdrawal Agreement (*not public*).

#### d. Key domestic jurisprudence from the reporting year

No such judgements were issued in the reporting year.

#### e. Statistical data

##### - Applicable legislation (*Portable Document A1*)

Received applications for issuing Portable Documents A1: 10 applications (56 forms)

Portable Documents A1 issued: 36 PDA1

##### - Cross-border health care (*EHIC, Portable Documents S1 and S2*)

In 2021 were issued a number of 175 206 EHIC and 11 904 provisional replacement certificate of EHIC. The EHIC issued by Romania is valid for 2 years - there is no difference between the previously issued EHIC and the one issued on the basis of the Withdrawal Agreement.

In 2021 no S2 documents have been issued for use in the United Kingdom.

The report for the S1 documents valid in previous year will be sent by the Romanian competent institutions in June 2022.

##### - Pensions

Number of pension applications received: 184

Number of applications granted: 178

Number of applications solved with rejection decision: 6

Number of requests for confirmation of insurance periods: 12

- Unemployment benefits (*Portable Documents U1 and U2*)  
7 cases (PDU1). No PDU2 received/issued in relation to the United Kingdom

- Family benefits  
Number of forms received: 563  
Number of forms sent: 1 801  
Number of applications granted: 2 591 from which 2 461 child benefit and 130 child raising benefits (Article 32 of the Withdrawal Agreement).

## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

Order of the Minister of Education and Research no. 3248/2021 for the adoption of measures for the recognition of studies in the context of the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union (*not public*).

### b. Key legislative instruments adopted or amended in the reporting year

Order of the Minister of Education and Research no. 3248/2021 for the adoption of measures for the recognition of studies in the context of the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union (*not public*).

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance documents were sent by the National Coordinator for the Recognition of Professional Qualifications to the competent authorities for the regulated professions in Romania (*not public*).

The Ministry of Education has disseminated to higher education institutions guidance documents containing relevant information on the regime applicable to the beneficiaries of the Withdrawal Agreement (for example on the right to the same tuition fees as RO nationals) (*not public*)

Relevant public information can be found [here](#).

### d. Key domestic jurisprudence from the reporting year

No such judgements were issued in the reporting year.

### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	5
A1	Number of applications granted	5
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

# REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

## Slovenia

### Report for 2021

#### 1) Residence rights

Slovenia operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications on 1 January 2021. Residence documents have been issued in the EU's uniform physical format form since 1 January 2021. Residence documents are issued for a charge of 20.47 EUR – temporary residence document (0.50 EUR for an application, 4.50 EUR for the procedure, 15.47 EUR for the temporary residence card) and 25.47 EUR – permanent residence document (0.50 EUR for an application, 9.50 EUR for the procedure, 15.47 EUR for the permanent residence card).

For constitutive countries: The deadline for application under Article 18(1)(b) of the Withdrawal Agreement is 31 December 2021.

Slovenia has not put in place more favourable residence conditions.

Slovenia has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement.

##### a. Key legislative instruments implementing the Withdrawal Agreement

Foreigners Act (Official Gazette of the Republic of Slovenia, No. 50/11, as amended). Consolidated version is available [here](#) and courtesy English translation of the original Act (not the current version is available [here](#)).

Rules on the manner in which a residence permit is issued, the method of fingerprinting and the way in which termination of a residence permit is indicated, (Official Gazette of the Republic of Slovenia, No. 83/21, as amended). Consolidated version is available [here](#).

##### b. Key legislative instruments adopted or amended in the reporting year

Act Amending the Foreign Act - ZTuj-2F (Official Gazette of the Republic of Slovenia, No. 57/21). The text is available [here](#).

Rules on the manner in which a residence permit is issued, the method of fingerprinting and the way in which termination of a residence permit is indicated, (Official Gazette of the Republic of Slovenia, No. 83/21, as amended). Consolidated version is available [here](#).

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No specific administrative documents that provide public guidance on the implementation have been adopted, except the information available [here](#).

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

##### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	870
B	Number of residence applications made in the reporting year	628
B1	Number of in time residence applications made in the reporting year	628

B1a	Number of applications granted as pre-permanent residence	241
B1b	Number of applications granted as permanent residence	215
B1c	Number of applications refused	19
B1c1	Out of B1c, number of applications that were invalid	4
B1c2	Out of B1c, number of applications that were withdrawn by applicants	11
B1d	Total number of in time applications pending at the end of the reporting year	153
B2	Number of late residence applications made in the reporting year	Not applicable in the reporting year
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	
B2a1	Number of applications granted as pre-permanent residence	
B2a2	Number of applications granted as permanent residence	
B2a3	Number of applications refused	
B2a3a	Out of B2c3, number of applications that were invalid	
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	
B2d	Total number of late applications pending at the end of the reporting year	
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	0
C1	Number of entry visas granted	0
C2	Number of entry visas applications refused	0
C3	Total number of entry visa applications pending at the end of the reporting year	0

## 2) Rights of employed and self-employed frontier workers

In Slovenia, beneficiaries of the Withdrawal Agreement can apply for a document identifying their frontier workers' rights. Such documents must be issued upon application.

The frontier worker scheme opened for applications on 1 January 2021. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued for a charge of 65.94 EUR (0.50 EUR for an application, 50 EUR for the procedure, 15.47 EUR for the card).

### a. Key legislative instruments implementing the Withdrawal Agreement

Foreigners Act (Official Gazette of the Republic of Slovenia, No. 50/11, as amended). Consolidated version is available [here](#) and courtesy English translation of the original Act (not the current version) is available [here](#).

Rules on the manner in which a residence permit and a document identifying frontier workers' rights is issued, the method of fingerprinting and the way in which termination of a residence permit and a document identifying their frontier workers' rights is indicated, (Official Gazette of the Republic of Slovenia, No. 83/21, as amended). Consolidated version is available [here](#).

### b. Key legislative instruments adopted or amended in the reporting year

Act Amending the Foreign Act - ZTuj-2F (Official Gazette of the Republic of Slovenia, No. 57/21). The text is available [here](#).

Rules on the manner in which a residence permit and a document identifying frontier workers' rights is issued, the method of fingerprinting and the way in which termination of a residence permit and a document identifying their frontier workers' rights is indicated, (Official Gazette of the Republic of Slovenia, No. 83/21, as amended). Consolidated version is available [here](#).

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No specific administrative documents that provide public guidance on the implementation have been adopted, except the information available [here](#).

d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

e. Statistical data

A	Number of applications made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

### 3) Co-ordination of social security schemes

a. Key legislative instruments implementing the Withdrawal Agreement

Slovenia has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

b. Key legislative instruments adopted or amended in the reporting year

Slovenia has adopted no specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Informacija o uveljavljanju zdravstvenih storitev v Združenem kraljestvu po izstopu iz EU;

[https://zavarovanec.zzs.si/wps/wcm/connect/20948c4e-b242-4b2b-a2f3-](https://zavarovanec.zzs.si/wps/wcm/connect/20948c4e-b242-4b2b-a2f3-e357c9b0c9ec/INF_Zdru%C5%BEeno+kraljestvo.pdf?MOD=AJPERES&ContentCache=NONE)

[e357c9b0c9ec/INF\\_Zdru%C5%BEeno+kraljestvo.pdf?MOD=AJPERES&ContentCache=NONE](https://zavarovanec.zzs.si/wps/wcm/connect/20948c4e-b242-4b2b-a2f3-e357c9b0c9ec/INF_Zdru%C5%BEeno+kraljestvo.pdf?MOD=AJPERES&ContentCache=NONE),

- [https://zavezanec.zzs.si/wps/portal/portali/azap/prijava-odjava-sprememba-obvez-soc-zavarovanj/napotitev-na-delo-v-](https://zavezanec.zzs.si/wps/portal/portali/azap/prijava-odjava-sprememba-obvez-soc-zavarovanj/napotitev-na-delo-v-tujino!/ut/p/z1/04_Sj9CPykyssy0xPLMnMz0vMAfIjo8ziTY08zQwtTQx8LfzdDA0CLZxcTdxdaA4zcfYz1C7IdFQFFVgBv/)

[tujino!/ut/p/z1/04\\_Sj9CPykyssy0xPLMnMz0vMAfIjo8ziTY08zQwtTQx8LfzdDA0CLZxcTdxdaA4zcfYz1C7IdFQFFVgBv/](https://zavezanec.zzs.si/wps/portal/portali/azap/prijava-odjava-sprememba-obvez-soc-zavarovanj/napotitev-na-delo-v-tujino!/ut/p/z1/04_Sj9CPykyssy0xPLMnMz0vMAfIjo8ziTY08zQwtTQx8LfzdDA0CLZxcTdxdaA4zcfYz1C7IdFQFFVgBv/)

(point c); in Slovenian language only)

More information can be found on: <https://www.gov.si/en/registries/projects/brexit/>.

d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

e. Statistical data

Please provide relevant statistical data on:

- Applicable legislation (*Portable Document A1*)

Number of PD A1 issued by sector of economic activity according to Art. 12 of Regulation (EC) No 883/2004 on the of the social coordination systems (2020):

	Employed	Art	Self-employed	Total	Sectors of economic activity (of total)	Number of	Average
--	----------	-----	---------------	-------	---	-----------	---------



	12 (1) box 3.1 of PDA1	Art 12 (2) box 3.3 of PDA1		Agriculture, hunting and fishing NACE A	Industry NACE B to F		'unique' persons who received a PD A1 (of total)	duration in days of all PD A1 issued (of total)
					Industry Total	of which  Construction NACE F		
Receiving country (single destination only)								
United Kingdom	352	9	361		222	44	148	32

- Cross-border health care (*EHIC, Portable Documents S1 and S2*)

<i>FORM</i>	<i>Issued from 1 January 2021 to 31 December 2021</i>
<i>EHIC</i>	<i>We do not have information, as EHICs were not issued exclusively for Great Britain</i>
<i>S1</i>	<i>9</i>
<i>S2</i>	<i>16</i>

- Pensions  
21 old age pensions  
2 family pensions
- Unemployment benefits (*Portable Documents U1 and U2*)

In the period from 1 January 2021 to 31 December 2021, *four persons* who were employed (last employment) in the United Kingdom claimed unemployment benefits in the Republic of Slovenia (Portable Documents U1). There were no cases of export of duties (Portable Documents U2).

U1	4
U2	0

- Family benefits  
34 children (United Kingdom nationals) received child benefit

#### 4) Recognition of professional qualifications

Slovenia has adopted no specific legislative instruments or administrative documents to implement the Withdrawal Agreement on the recognition of professional qualifications. Its rules are applied directly. In 2021, Slovenia did not receive any applications for recognition of professional qualifications.

##### a. Key legislative instruments implementing the Withdrawal Agreement

Slovenia has adopted no specific legislative instruments or administrative documents to implement the Withdrawal Agreement on the recognition of professional qualifications. Its rules are applied directly.

**b. Key legislative instruments adopted or amended in the reporting year**

No such instruments in the reporting year.

**c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement**

No administrative documents have been adopted.

**d. Key domestic jurisprudence from the reporting year**

No such jurisprudence in the reporting year.

**e. Statistical data**

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	0
A1	Number of applications granted	0
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	0
A3	Number of applications that are still pending at the end of the reporting year	0

**REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT**

**Slovakia**

**Report for 2021**

**1) Residence rights**

Slovakia operates a declaratory residence scheme in accordance with Article 18(4) of the Withdrawal Agreement. The residence scheme opened for applications on 1 February 2020. Residence documents have been issued in the EU's uniform physical format form since 1 February 2020. Residence documents are issued free of charge.

United Kingdom nationals are obliged to apply for a residence document attesting their new residence status by 30 June 2021.

Third-country family members of United Kingdom nationals are obliged to apply for a residence document attesting their new residence status by 30 June 2021.

United Kingdom nationals are not anymore able to use their old residence documents issued under EU law on free movement of EU citizens since 1 July 2021.

Slovak republic has not put in place more favourable residence conditions.

**a. Key legislative instruments implementing the Withdrawal Agreement**

Act no. 404/2011 Coll. On Residence of Foreigners, link: <https://www.zakonypreludi.sk/zz/2011-404>, accompanied by internal methodology (only in Slovak language).

**b. Key legislative instruments adopted or amended in the reporting year**

No such instruments in the reporting year.

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

<https://www.minv.sk/?information-on-the-stay-in-the-territory-of-the-slovak-republic-in-connection-with-the-withdrawal-of-the-united-kingdom-of-great-britain-and-northern-ireland-from-the-european-union-brexit-3u>.

d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	3197
B	Number of residence applications made in the reporting year	Data not available
B1	Number of in time residence applications made in the reporting year	
B1a	Number of applications granted as pre-permanent residence	
B1b	Number of applications granted as permanent residence	
B1c	Number of applications refused	
B1c1	Out of B1c, number of applications that were invalid	
B1c2	Out of B1c, number of applications that were withdrawn by applicants	
B1d	Total number of in time applications pending at the end of the reporting year	
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In Slovakia, employed and self-employed frontier workers who wished to obtain a document identifying frontier workers' rights could apply for such document form 1 January 2021 with the respective department of Foreign Police.

They were obliged to apply for a document identifying their frontier workers' rights by deadline until 30 June 2021.

The frontier worker scheme opened for applications on 1 January 2021. The documents identifying their frontier workers' rights are issued in a physical form. The documents are issued free of charge.

a. Key legislative instruments implementing the Withdrawal Agreement

The Withdrawal Agreement is directly applied by the Slovak authorities and institutions.

b. Key legislative instruments adopted or amended in the reporting year

None. The Withdrawal Agreement is directly applied by the Slovak authorities and institutions.

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

No such guidance in the reporting year.

General information on the implementation of the Withdrawal Agreement can be found on:

<https://www.minv.sk/?informacie-o-pobyte-na-uzemi-sr-v-suvislosti-s-vystupenim-spojeneho-kralovstva-velkej-britanie-a-severneho-irsku-z-europskej-unie-brexit-1>

d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

e. Statistical data

A	Number of applications made in the reporting year	Data not
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A1	Number of applications granted	available
A2	Number of applications refused	
A2a	Out of A2, number of applications that were invalid	
A2b	Out of A2, number of applications that were withdrawn by applicants	
A3	Number of applications that are still pending at the end of the reporting year	

### 3) Co-ordination of social security schemes

If a person does not qualify for full protection under Article 30 of the Withdrawal Agreement, then it is important to examine whether there is a possibility to place that person in the partial protection enjoyed by specific groups (Article 32 of the Withdrawal Agreement).

#### a. Key legislative instruments implementing the Withdrawal Agreement

In the Withdrawal Agreement the European Union and the United Kingdom as parties to the Agreement have undertaken to guarantee to citizens of the other party and their family members that all rights they had possessed before the United Kingdom left EU would be preserved. The Agreement guarantees to persons specified in the personal scope of the Agreement preservation of rights also related to social security. All granted rights and entitlements related to social security resulting from Coordination Regulations remained valid until the end of the transition period. All rights and entitlements resulting from Coordination Regulations remain and keep applying also after the end of the transition period, i.e., after 31 December 2020 for the persons specified in the Withdrawal Agreement. In accordance with Coordination Regulations, the person is subject to UK/SR legislation (UK national is subject to Slovak legislation and citizen of SR is subject to UK legislation). No national legislation has been adopted to implement the Withdrawal Agreement.

#### b. Key legislative instruments adopted or amended in the reporting year

There are any key legislative instruments adopted or amended in the reporting year.

#### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Some of the information that provide public guidance on the implementation of this area of the Withdrawal Agreement could be find on the following link – <https://www.employment.gov.sk/en/brexit/>.

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

##### - Applicable legislation (*Portable Document A1*)

Number of PDAs issued in the period from 1 January 2021 until 31 December 2021 - UK			
Month	From	Until	Number
January	01/01/21	31/01/21	325
February	01/02/21	28/02/21	358
March	01/03/21	31/03/21	228
April	01/04/21	30/04/21	220
May	01/05/21	31/05/21	131
June	01/06/21	30/06/21	176
July	01/07/21	31/07/21	93

August	01/08/21	31/08/21	76
September	01/09/21	30/09/21	92
October	01/10/21	31/10/21	144
November	01/11/21	30/11/21	84
December	01/12/21	31/12/21	172
<b>SUM</b>			<b>2 099</b>

- Cross-border health care (*EHIC, Portable Documents S1 and S2*)
- **Pensions**

#### Quantity of pension and amount of the pension paid to UK in a reporting period

Type of pension	january		february		march		april		may		june		july		august		september		october		november		december		sum	
	no. of pensions	amount paid in €	no. of pensions	amount paid in €	no. of pensions	amount paid in €	no. of pensions	amount paid in €	no. of pensions	amount paid in €	no. of pensions	amount paid in €	no. of pensions	amount paid in €	no. of pensions	amount paid in €	no. of pensions	amount paid in €	no. of pensions	amount paid in €	no. of pensions	amount paid in €	no. of pensions	amount paid in €	no. of pensions	amount paid in €
old age pension	368	110.796,31	364	109.202,14	371	111.508,57	370	110.310,63	372	111.307,69	372	110.713,18	374	111.771,59	376	113.269,06	377	113.142,43	378	113.713,61	383	115.381,28	390	116.977,18	4.495	1.348.093,67
early retirement	2	389,9	2	389,9	2	389,9	2	389,9	2	389,9	2	389,9	2	389,9	2	389,9	1	166,8	1	166,8	1	166,8	1	166,8	20	3.786,40
invalidity pension	61	14.665,08	61	14.669,15	61	14.669,15	59	13.988,36	58	13.649,49	59	13.987,39	59	13.924,23	59	13.938,22	59	13.959,22	60	14.109,92	59	13.967,79	57	13.134,09	712	168.662,05
widow's pension	68	11.731,22	67	11.606,42	68	11.745,49	69	11.902,49	68	11.707,49	70	12.087,39	69	11.909,99	69	11.912,15	67	11.815,35	67	11.815,35	68	11.809,14	72	12.420,55	822	142.463,03
widower's pension	15	1.854,80	15	1.854,80	15	1.854,80	15	1.854,80	14	1.708,90	14	1.714,90	14	1.733,10	15	1.814,30	14	1.733,10	14	1.692,00	14	1.692,00	13	1.525,70	172	21.033,20
orphan's pension	24	3.592,20	24	3.592,20	25	3.724,80	26	3.759,80	26	3.759,80	26	3.760,60	21	2.878,10	21	2.878,10	18	2.562,10	18	2.591,20	18	2.431,00	19	2.581,00	266	38.110,90
<b>sum</b>	<b>538</b>	<b>143.029,51</b>	<b>533</b>	<b>141.314,61</b>	<b>542</b>	<b>143.892,71</b>	<b>541</b>	<b>142.205,98</b>	<b>540</b>	<b>142.523,27</b>	<b>543</b>	<b>142.653,36</b>	<b>539</b>	<b>142.606,91</b>	<b>542</b>	<b>144.201,73</b>	<b>536</b>	<b>143.379,00</b>	<b>538</b>	<b>144.088,88</b>	<b>543</b>	<b>145.448,01</b>	<b>552</b>	<b>146.805,32</b>	<b>6.487</b>	<b>1.722.149,25</b>
number of retired persons	480		476		484		482		483		485		484		486		483		486		490		496			

- **Unemployment benefits (*Portable Documents U1 and U2*)**

Number of issued forms PD U1 and PD U2 for the period 1.1.2021 - 21.3.2022			
	Client/Institution	Refunds**	Total
<b>PD U1</b>	4	132	136
<b>PD U2</b>	0	0	0

#### Explanations

PD U1 - 136

\*4 x issued form at the request of the client / institution UK

\*\* 132 x issued form by the Headquarters of the Social Insurance Agency at the request of the UK institution due to the assessment of applications for refunds of unemployment benefit (applications submitted by the Slovak Republic against the UK)

- **Family benefits**

#### Child benefit

Claim group	Standard claim
Country	UK and Northern Ireland
Payment period - month	01/2021 - 02/2022

Payout scheme	Number of recipients	Number of kids	Amount paid out (in EUR)
1 - standard state social benefit	0	0	0
2 - compensatory allowance from another state	494	770	293 905,16

3 - compensatory allowance from SK	70	103	27 295,13
4 -refund from another state	1	4	1 119,80
5 - refund from SK	0	0	0
<b>Total sum</b>	<b>564</b>	<b>876</b>	<b>322 320,09</b>

#### Parental allowance

Claim group	Standard claim
Country	UK and Northern Ireland
Payment period - month	01/2021 - 02/2022

Payout scheme	Number of recipients	Number of kids	Amount paid out (in EUR)
1 - standard state social benefit	0	0	0
2 - compensatory allowance from another state	77	79	269 643,10
3 - compensatory allowance from SK	240	242	726 906,80
4 - refund from another state	0	0	0
5 - refund from SK	0	0	0
<b>Total sum</b>	<b>315</b>	<b>319</b>	<b>996 549,90</b>

## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

Existing provisions applicable to recognition of professional qualifications from third countries are being used. [Act No. 422/2015 Coll. on recognition of diplomas and on recognition of professional qualifications.](#)

### b. Key legislative instruments adopted or amended in the reporting year

No adoption or amendment of legislative instruments in relation to the Withdrawal Agreement.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Guidance documents in relation to the Withdrawal agreement are published on the website of the [Ministry of Education, Science, Research and Sport of the Slovak Republic](#).

### d. Key domestic jurisprudence from the reporting year

No relevant jurisprudence.

### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	9
A1	Number of applications granted	8
A2	Number of applications refused	0
A2a	Out of A2, number of applications that were invalid	0
A2b	Out of A2, number of applications that were withdrawn by applicants	1
A3	Number of applications that are still pending at the end of the reporting year	0

# REPORTING UNDER ARTICLE 159(2) OF THE WITHDRAWAL AGREEMENT ON MEASURES TAKEN BY PUBLIC AUTHORITIES TO IMPLEMENT OR COMPLY WITH THE WITHDRAWAL AGREEMENT

## Sweden

### Report for 2021

#### 1) Residence rights

Sweden operates a constitutive residence scheme in accordance with Article 18(1) of the Withdrawal Agreement. The residence scheme opened for applications on 1 December 2020. Residence documents have been issued in the EU's uniform physical format form since 1 December 2020. Residence documents are issued free of charge.

The deadline for application under Article 18(1)(b) of the Withdrawal Agreement is 31 December 2021.

Sweden has not put in place more favourable residence conditions.

Sweden has not made use of derogations from equal treatment under Article 23(2) of the Withdrawal Agreement, in that some beneficiaries of the Withdrawal Agreement are not entitled to student grants or student loans that in some cases can be granted e.g. citizens of the Union and their family members due to a lasting connection to Sweden. In accordance with Article 23 (2) this does not apply to persons who have a permanent right of residence in Sweden, nor to workers, self-employed persons, persons who retain such status or to members of their families. See Student Support Act (1999:1395), Chapter 1, Section 4 and 5, Chapter 2, Section 4 and Chapter 3, Section 4. Consolidated version is available in the link below:

##### a. Key legislative instruments implementing the Withdrawal Agreement

The Aliens Act (2005:716, consolidated version is available in the link below. Provisions regarding beneficiaries of the Withdrawal Agreement are found e.g., in Chapter 1, Section 4 c and 17, Chapter 2, Section 3 b, Chapter 3 b (entire chapter), Chapter 8, Section 7 a, Chapter 8 a, Section 5, Chapter 12, Section 13 a, 15 and 17, Chapter 14, Section 5 c.

[Utlänningslag \(2005:716\) Svensk författningssamling 2005:2005:716 t.o.m. SFS 2021:1189 - Riksdagen](#)

The Aliens Ordinance (2006:97), consolidated version is available in the link below. Provisions regarding the Withdrawal Agreement are found in e.g., Chapter 2, Section 17 a, Chapter 3, Section 11 a, Chapter 3 b (entire chapter).

[Utlänningsförordning \(2006:97\) Svensk författningssamling 2006:2006:97 t.o.m. SFS 2021:1193 - Riksdagen](#)

##### b. Key legislative instruments adopted or amended in the reporting year

The application period for residence status was extended from 30 September 2021 to 31 December 2021, by amendments in the Aliens Ordinance, Chapter 3 b, Section 2.

##### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Government bill and the Swedish Migration Agency's own handbook. No recent changes or updates in the handbook.

##### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

##### e. Statistical data

A	Estimated number of resident beneficiaries of the Withdrawal Agreement	13 000
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B	Number of residence applications made in the reporting year	12 704 <sup>8</sup>
B1	Number of in time residence applications made in the reporting year	12 704
B1a	Number of applications granted as pre-permanent residence	6 990
B1b	Number of applications granted as permanent residence	1 140
B1c	Number of applications refused	1 602
B1c1	Out of B1c, number of applications that were invalid	208
B1c2	Out of B1c, number of applications that were withdrawn by applicants	500
B1d	Total number of in time applications pending at the end of the reporting year	752 <sup>9</sup>
B2	Number of late residence applications made in the reporting year	Not applicable in the reporting year
B2a	Number of applications where national authorities concluded that there were reasonable grounds for not respecting the application deadline	
B2b	Number of applications where national authorities concluded that there were no reasonable grounds for not respecting the application deadline	
B2c	Number of applications where national authorities are still assessing there were reasonable grounds for not respecting the application deadline	
B2a1	Number of applications granted as pre-permanent residence	
B2a2	Number of applications granted as permanent residence	
B2a3	Number of applications refused	
B2a3a	Out of B2c3, number of applications that were invalid	
B2a3b	Out of B2c3, number of applications that were withdrawn by applicants	
B2d	Total number of late applications pending at the end of the reporting year	
C	Number of entry visa applications made in the reporting year by family members seeking to join the beneficiary under Article 14(3) of the Withdrawal Agreement	Data not available
C1	Number of entry visas granted	
C2	Number of entry visas applications refused	
C3	Total number of entry visa applications pending at the end of the reporting year	

## 2) Rights of employed and self-employed frontier workers

In Sweden, beneficiaries of the Withdrawal Agreement are not obliged to apply for a document identifying their frontier workers' rights. If an application at some point is submitted such documents must be issued six months upon application at the latest.

The frontier worker scheme opened for applications on 1 December 2020. The documents identifying their frontier workers' rights are issued in a physical form (the EU's uniform physical format). The documents are issued free of charge.

### a. Key legislative instruments implementing the Withdrawal Agreement

The Aliens Act (2005:716), consolidated version is available in the link below. Provisions are found in e.g. Chapter 1, Section 4 c and 17, Chapter 3 b, Section 9, Chapter 8, Section 7 a, Chapter 8 a, Section 5, Chapter 12, Section 13 a, 15 and 17, Chapter 14, Section 5 c.

[Utlänningslag \(2005:716\) Svensk författningssamling 2005:2005:716 t.o.m. SFS 2021:1189 - Riksdagen](#)

The Aliens Ordinance (2006:97), consolidated version is available in the link below. Provisions are found in e.g. Chapter 3, Section 11 a, Chapter 3 b, Section 7 and 8.

[Utlänningsförordning \(2006:97\) Svensk författningssamling 2006:2006:97 t.o.m. SFS 2021:1193 - Riksdagen](#)

### b. Key legislative instruments adopted or amended in the reporting year

The Aliens Act (2005:716), consolidated version is available in the link below. Chapter 3 b, Section 9.

[Utlänningslag \(2005:716\) Svensk författningssamling 2005:2005:716 t.o.m. SFS 2021:1189 - Riksdagen](#)

<sup>8</sup> This number include applications made from 1 December 2020 when the application period started.

<sup>9</sup> Number of open applications as of 4 April 2022.



The Aliens Ordinance (2006:97), consolidated version is available in the link below. Chapter 3 b, Section 7 and 8.

[Utlänningsförordning \(2006:97\) Svensk författningssamling 2006:2006:97 t.o.m. SFS 2021:1193 - Riksdagen](#)

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

Government bill 2019/20:178.

d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

e. Statistical data

Please provide statistical data on:

A	Number of applications made in the reporting year	619
A1	Number of applications granted	127
A2	Number of applications refused	364
A2a	Out of A2, number of applications that were invalid	24
A2b	Out of A2, number of applications that were withdrawn by applicants	86
A3	Number of applications that are still pending at the end of the reporting year	128 <sup>10</sup>

### 3) Co-ordination of social security schemes

a. Key legislative instruments implementing the Withdrawal Agreement

Sweden has not adopted specific legislative instruments to implement the Withdrawal Agreement on the coordination of social security systems. Its rules are applied directly.

b. Key legislative instruments adopted or amended in the reporting year

No such instruments in the reporting year.

c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

The Swedish competent institutions apply the joint Guidance Note relating to the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, part two on Citizens' rights (as published on 12 May 2020, document C [2020] 2939 final).

d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

e. Statistical data

In certain areas, Sweden is currently unable to distinguish cases falling under the scope of Regulation 883/2004, the Withdrawal Agreement and the Trade and Cooperation Agreement. Where no such data has been possible to collect, data communicated to the Administrative Commission in relation to the United Kingdom for year 2021 has been included.

#### Applicable legislation

For 2021 Sweden issued 6 PD A1 registered as being based on the Withdrawal Agreement.

#### Cross-border health care (EHIC, Portable Documents S1 and S2)

##### *EHIC:*

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<sup>10</sup> Number of open applications as of 4 April 2022.

Sweden is currently unable to present data that distinguishes between the legal grounds for issuing an EHIC, i.e. whether it is done on the basis of Regulation 883/2004, the Withdrawal Agreement or the Protocol on Social Security Coordination to the Trade and Cooperation Agreement. For that purpose, there is no indication as to how many EHIC have been issued for the use in the United Kingdom under the Withdrawal Agreement specifically.

Number of persons insured in Sweden who during 2021 asked for reimbursement after receiving health care during a stay in the United Kingdom: 3

Number of persons insured in the United Kingdom who during 2021 received health care during their stay in Sweden: 2 438

**PD S1:**

Number of PD S1 issued by the Swedish competent institution to insured persons on the basis of the Withdrawal Agreement: 4.

Number of PD S1 issued by the Swedish competent institution to pensioners on the basis of the Withdrawal Agreement: 4.

Number of issued PD S1 by the British competent institutions to insured persons on the basis of the Withdrawal Agreement: 2.

Number of issued PD S1 by the British competent institutions to pensioners on the basis of the Withdrawal Agreement: 5. **PD S2:**

Number of PD S2 issued for 2021 for persons seeking planned medical care in the United Kingdom: 0

Number of persons who for 2021 received planned medical treatment in Sweden by means of a PD S2 issued by the United Kingdom: 21

Please note that most accepted PD S2 have been issued during the second half of 2021, wherefore it is not possible for the Swedish competent institution to conclude on what legal ground the document has been issued. **Pensions**

Total number of pensions and amount paid of exported pensions (old-age, survivors' and invalidity pension) from Sweden for 2021 to pensioners who receive a pension and reside in the United Kingdom:

Old-age pension: 4 333 pensions, total amount paid in Euro: 19 364 992, of which 187 cases were decided in 2021 on the basis of the Withdrawal Agreement.

Survivors' pension: 285 pensions, total amount paid in Euro: 643 003, of which 14 cases were decided in 2021 on the basis of the Withdrawal Agreement.

Invalidity pension: 120 pensions, total amount paid in Euro: 1 243 651

**Unemployment benefits**

Number of recent migrant workers who became unemployed in the reference year of 2021 and received unemployment benefits in Sweden based on periods completed in the United Kingdom: 11

Number of issued PD U1 forms: 11

Number of issued PD U2 forms: 2

**Family benefits**

Number of entitled persons being entitled to family benefits for members of the family residing in the United Kingdom, reference year 2021.

Child benefit, Number of entitled persons: 141, total expenditure in Euro: 172 925

Multi-child supplement, Number of entitled persons: 100, total expenditure in Euro: 16 877

Parental allowance, Number of entitled persons: 0

Student grants in and extra supplements, Number of entitled persons: 7, total expenditure in Euro: 22 444

Housing allowance in the form of a special allowance for children living at home, Number of entitled persons: 10, total expenditure in Euro: 5 797

Housing allowance in the form of a special allowance for children who live alternately and social allowance, Number of entitled persons: 2, Total expenditure in Euro: 340

Survivors' support, Number of entitled persons: 49, Total expenditure in Euro: 50 241

## 4) Recognition of professional qualifications

### a. Key legislative instruments implementing the Withdrawal Agreement

**1. The National Board of health and Welfare:** The Withdrawal Agreement was implemented in Chapter 6, section 3 a of the Ordinance on Patient Safety (2010:1369) with the following wording. Notwithstanding the United Kingdom's withdrawal from the European Union, the provisions on temporary professional practice and recognition of professional qualifications in section 9-11 of the Legislative Act (2016: 145) on the recognition of professional qualifications, Chapter 5; section 2-18 of this ordinance and the regulations issued in connection with the mentioned administrative provisions, apply correspondingly to anyone who has acquired professional qualifications or had them recognized in the United Kingdom, provided that the application for an evidence of formal qualifications has been received by the National Board of Health and Welfare before the withdrawal.

[https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/patientsakerhetsforordning-20101369\\_sfs-2010-1369](https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/patientsakerhetsforordning-20101369_sfs-2010-1369)

**2. The Swedish National Agency for Education:** No legislative instruments have been necessary to implement the Withdrawal Agreement.

**3. The Swedish Board of Agriculture:** No legislative instruments have been necessary to implement the Withdrawal Agreement. No translation in English of the relevant regulations is available and due to the construction of the website it is not possible to provide a hyperlink to the regulations.

### b. Key legislative instruments adopted or amended in the reporting year

**1. The National Board of health and Welfare:** After December 2020 UK qualifications will be assessed according to the regulation for people educated outside the EU/EEA, see provided link, <https://legitimation.socialstyrelsen.se/legitimation/utanfor-euees/lakare-utbildad-utanfor-eu-ees/>

The Withdrawal Agreement was implemented in Chapter 6 section 3a of the Ordinance on Patient Safety, patientsakerhetsförordningen (2010:1369) with the following wording. Notwithstanding the United Kingdom's withdrawal from the European Union, the provisions on temporary professional practice and recognition of professional qualifications in section 9-11 of the Legislative Act (2016: 145) on the recognition of professional qualifications, Chapter 5; section 2-18 of this ordinance and the regulations issued in connection with the mentioned administrative provisions apply correspondingly to anyone who has acquired professional qualifications or had them recognized in the United Kingdom, provided that the application for an evidence of formal qualifications has been received by the National Board of Health and Welfare before the withdrawal. Regulation (2019: 113).

[https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/patientsakerhetsforordning-20101369\\_sfs-2010-1369](https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/patientsakerhetsforordning-20101369_sfs-2010-1369)

No other adoptions or amendments were reported.

### c. Key administrative documents giving guidance on the implementation of the Withdrawal Agreement

**1. The National Board of Health and Welfare** provides information on their website. The following information is given in Swedish and English:

“Qualifications from Great Britain?”

February 1 to December 31, 2020 will be a transitional period. Your application will then still be assessed based on Directive 2005/36/EC and the decisions that are made then are valid even after the end of the transitional period.”

Please read information in provided hyperlinks, <https://legitimation.socialstyrelsen.se/legitimation/?yrkesId=100009>  
<https://legitimation.socialstyrelsen.se/en/licence-application/?yrkesId=100009>

#### d. Key domestic jurisprudence from the reporting year

No such jurisprudence in the reporting year.

#### e. Statistical data

A	Number of applications under Article 28 of the Withdrawal Agreement made in the reporting year	1.The National Board of Health and Welfare (45) 2.The Swedish National Agency for Education (15) 3.The Swedish Board of Agriculture (10)
A1	Number of applications granted	1. Data not available 2. 11 3. 9
A2	Number of applications refused	1. Data not available 2. 4 3.1
A2a	Out of A2, number of applications that were invalid	1. Data not available 2.The Swedish authorities do not currently collect data on applications refused as invalid 3. 0
A2b	Out of A2, number of applications that were withdrawn by applicants	1. Data not available 2. The Swedish authorities do not currently collect data on applications refused as invalid 3. 0
A3	Number of applications that are still pending at the end of the reporting year	1. Data not available 2.The Swedish authorities do not currently collect data on applications refused as invalid 3. 0

**1. The National Board of Health and Welfare** (Socialstyrelsen) is not able to provide all the data we are asking for.

**2. The Swedish National Agency for Education** (Skolverket)

**3. The Swedish Board of Agriculture** (Jordbruksverket)

In addition to the Swedish authorities listed above, the following competent Swedish authorities for regulated professions have been asked to provide information according to the template but have nothing to report: the National Board of Housing, Building and Planning (Boverket), The Swedish Transport Agency (Transportstyrelsen), the Swedish Electrical Safety Agency (Elsäkerhetsverket), The Swedish Estate Agents Inspectorate (Fastighetsmäklarinspektionen), The Chamber of Deputies (Kammarkollegiet), The Swedish Civil Contingencies Agency (Myndigheten för samhällsskydd och beredskap), The Swedish Patent Attorneys Board (Patentombudsnämnden), Finansinspektionen, Swedish Council for Higher Education (Universitets- och högskolerådet), The Swedish Bar Association (Sveriges Advokatsamfund), Swedish Inspectorate of Auditors (Revisorsinspektionen).