



RULES FOR UK NATIONALS WHEN ENTERING OR LEAVING THE SCHENGEN AREA

***(applicable during the standard deployment of the Entry/Exit
System on 10 April 2026)***

To keep proper records of border crossings, border guards used to manually stamp passports of non-EU nationals travelling for a short stay (*by means of affixing a stamp in the passport*).

The Entry/Exit System (EES) modernised the management of the EU's external border by replacing manual stamping with electronic entry/exit records (*by means of creating an individual file in the EES*) that provide reliable data on entries and exits.

Manual stamps **should no longer be affixed in passports** of beneficiaries of the Withdrawal Agreement when entering or leaving the Schengen area (*for the purposes of this guidance, 25 Member States other than Cyprus or Ireland are called Schengen Member States and – together with Iceland, Norway, Switzerland and Liechtenstein – form the Schengen area*).¹

The EES affects neither the rights UK nationals enjoy under the Withdrawal Agreement, nor the rights they enjoy under the EU rules governing the movement of persons across borders (Schengen Border Code).

Beneficiaries of the Withdrawal Agreement enjoy their rights under the Withdrawal Agreement in their host State irrespective of whether they have exceeded their authorised legal stay in a Schengen Member State other than the host State in which they can reside under the Withdrawal Agreement.

Treatment of beneficiaries of the Withdrawal Agreement at the EU borders depends on whether they hold a residence document issued under the Withdrawal Agreement or not (*residence documents some EU Member States may still accept as proof of Withdrawal Agreement beneficiary status are not relevant for the EES purposes if they are not issued under the Withdrawal Agreement*).

¹ EU law does not prevent border guards from stamping passports of United Kingdom nationals who are beneficiaries of the Withdrawal Agreement who are in possession of a valid residence permit issued by a Schengen Member State. The same applies to their family members in the same situation. The Commission considers that there is little practical use in stamping passports of such Withdrawal Agreement beneficiaries and recommends that Member State border guards refrain from stamping. In any case, should stamping take place, such stamp cannot affect the length of the authorised long-term stay.

1. Holding a residence document issued under the Withdrawal Agreement

Registration in the EES

Beneficiaries of the Withdrawal Agreement holding a residence document issued under the Withdrawal Agreement **are exempt from registration in the EES**, and no electronic record of their crossing of the Schengen external border is created.

You can find more details about the EES [here](#).

Crossing the EU's external border

They should be able to cross the Schengen external border. This is because their residence document provides evidence that they have a right of residence in a host Schengen Member State.

Stamps should not be affixed in their passports (see footnote 1 for clarification).

2. Not holding a residence document issued under the Withdrawal Agreement

Registration in the EES

Beneficiaries of the Withdrawal Agreement not holding a residence document issued under the Withdrawal Agreement **will be registered in the EES** and an electronic record of their crossing of the Schengen external border will be created, unless they hold a specific national residence permit (*for more details on such specific permits, see the last section of guidance document on Entry/Exit System and the Withdrawal Agreement beneficiaries, available [here](#)*).

The reason for this is that the EES is a document-based system that recognises only specific documents as authoritative proof of a person's right to reside in an EU Schengen Member State. As a result, only holders of these specific documents are exempt from registration in the EES.

As electronic records of border crossings are created at the external border when beneficiaries of the Withdrawal Agreement do not present a residence document issued under the Withdrawal Agreement, the EES will flag them as overstayers if they stay more than 90 days in any 180-day period. The EES data will be deleted once the proper residence document under the Withdrawal Agreement is granted. Beneficiaries of the Withdrawal Agreement can also request to have their electronic record modified in the host EU Member State by providing evidence of their status as beneficiaries of the Withdrawal Agreement.

You can find more details about the EES [here](#).

Crossing the EU's external border

Only presentation of a valid residence document issued in the uniform format under the Withdrawal Agreement constitutes proof that the holder is a Withdrawal Agreement beneficiary and enjoys rights under the Withdrawal Agreement.

Beneficiaries of the Withdrawal Agreement not holding a residence document issued under the Withdrawal Agreement can cross the external border, in their capacity as beneficiaries of the Withdrawal Agreement,² only if they can provide credible evidence that they have

² It remains open for United Kingdom nationals who are beneficiaries of the Withdrawal Agreement to cross the external border under the rules applicable to United Kingdom nationals. In such case, their treatment at the border is governed by general EU rules, with the Withdrawal Agreement having no impact.

a right of residence in a host Schengen Member State under the Withdrawal Agreement. Such evidence can be provided by any means.

If their host State operates a **declaratory residence scheme**³, such evidence can be adduced by presenting documents that show that the beneficiary:

- (i) exercised free movement rights in the host State before 31 December 2020, in particular by presenting a residence document previously issued by the host State in accordance with [the Free Movement Directive](#) (*Directive 2004/38/EC*); and
- (ii) continues to reside in the host State.

In host States with a **constitutive residence scheme**⁴, beneficiaries should generally hold a valid residence document issued in the uniform format under the Withdrawal Agreement.

However, if this is exceptionally not the case at the time of travel (*for example, when the residence document was stolen or lost or has expired*), evidence can be adduced by presenting documents that show that the beneficiary:

- (i) was granted the Withdrawal Agreement beneficiary status in the past; and
- (ii) continues to reside in the host State.

As the actual permission to cross the border is granted after a case-by-case assessment by border guards, there can be no guarantee that such beneficiaries of the Withdrawal Agreement will be successful in convincing border guards that they have a right of residence in a Schengen Member State under the Withdrawal Agreement.

In this context, it can be reasonably expected that the evidence to be provided by Withdrawal Agreement beneficiaries who do not hold the correct documents will be much easier to accept for border guards of the host State in which UK nationals reside under the Withdrawal Agreement than for border guards in other Schengen States. For that reason, and in order to avoid administrative problems, UK nationals in the above-described situation are encouraged to travel directly to the host State in which they enjoy a right to reside.

When it comes to **providing credible evidence**, beneficiaries have the right to choose the documentary evidence by which they wish to prove that they are covered by the Withdrawal Agreement.

Member States may not establish that certain specific types of documents are the only acceptable evidence, precluding beneficiaries from evidencing their status by other means. Border guards may ask for specific documents (*for example, a marriage certificate as the means of proving the existence of marriage*) but should not refuse other means of evidence (*given that presenting a marriage certificate is not the only acceptable means of establishing family ties*).

The assessment of whether presented evidence sufficiently demonstrates that the person is actually covered by the Withdrawal Agreement must be made on a case-by-case basis and must take into account the circumstances specific to each situation.

In general, **continued residence** in the host State may be evidenced with documents indicating the address of the person in the host State. Border guards can also ask relevant questions about the domicile of the person and take the replies to constitute evidence.

³ Bulgaria, Czechia, Germany, Estonia, Greece, Spain, Croatia, Italy, Lithuania, Poland, Portugal and Slovakia.

⁴ Belgium, Denmark, France, Latvia, Luxembourg, Hungary, Malta, the Netherlands, Austria, Romania, Slovenia, Finland and Sweden.

Stamps should not be affixed in their passports (see footnote 1 for clarification).

3. Conclusions

Against the above background, it is best for all beneficiaries of the Withdrawal Agreement to obtain the appropriate residence document under the Withdrawal Agreement in their host State and to proactively present it to border guards when crossing a Schengen external border.

The Commission strongly recommends to all beneficiaries of the Withdrawal Agreement who do not yet have a residence document under the Withdrawal Agreement to obtain one as soon as possible.

All Withdrawal Agreement beneficiaries are entitled to apply for and be issued with a Withdrawal Agreement document that will facilitate their experience at the EU borders.

For more information about the application, please contact the national authorities of your host EU Member State.

For more about the Withdrawal Agreement see [Commission Notice — 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 – Citizens' Rights](#) (C/2020/2939, OJ C173, 30 May 2020, p. 1) that this document supplements, without amending it.

Rules on entry and exit are covered in section 2.2 of the Guidance Note.