Frequently asked questions about traveling with a national ID card as a beneficiary of the EU-UK Withdrawal Agreement

1. I am a beneficiary of the Withdrawal Agreement with a status under the EU Settlement Scheme (EUSS). Can I use my national ID card to enter the UK?

There is a new <u>UK policy</u> that requires EU citizens not protected by the Withdrawal Agreement to travel on a passport as they can no longer use a national ID card to enter the UK. This policy took effect on 1 October 2021 following a change to the Immigration Rules.

However, Withdrawal Agreement beneficiaries continue to have the choice between using a valid passport or a national ID card to enter the UK. For such citizens this is a right for life. The UK may, however, require that after 31 December 2025 national ID cards used for UK entry must have a biometric chip (entry must be compliant with International Civil Aviation Organisation (ICAO) standards).

Therefore, those citizens who have:

- settled or pre-settled status under the EU Settlement Scheme, or Jersey, Guernsey or the Isle of Man's settlement schemes;
- applied to the EU Settlement Scheme, other than as joining family member, but have not had a decision and have a certificate of application;
- an EU Settlement Scheme family permit, or the equivalent from Jersey, Guernsey or the Isle of Man;
- a frontier worker permit; or
- who are "S2 healthcare visitors"

may continue to enter the UK with their valid national ID cards even after 1 October 2021.

2. Are carriers or airlines obliged to check my EU Settlement Scheme Status?

Carriers or airlines are not currently required to establish an EU citizen's immigration status, or their entitlement to travel on a national identity card, when deciding whether to bring them to the UK. They only need to check that they have a valid passport or national identity card.

While carriers' or airlines' liability charges will not be imposed where they bring a passenger to the UK on an ID card when they are not entitled to use one — this will change in future once technological systems are in place that allow carriers to check whether people have the right to travel on an ID card or not. If passengers are refused entry at the UK border, it is generally a requirement for the carrier bringing them to the UK to return them.

3. In case I am requested, how do I prove to carriers or airlines that I have a status under the EU Settlement Scheme?

EU citizens who have obtained pre-settled or settled status under the EU Settlement Scheme only hold a digital status (this is referred to as a "UKVI account") and are not issued with physical documentation.

Carriers are not required to check this status, or a person's continuing entitlement to travel on a national ID card, although holders of EU Settlement Scheme status can use the online 'View and Prove' service to demonstrate their status.

If passengers wish to share their status with a carrier or airline, they need to log onto the service and generate a 'share code', which can be given to the carrier or airline. The carrier or airline can then use the 'share code' (and the individual's date of birth) to enable them to check the passenger's status information, using the 'Check someone's immigration status' service.

Non-EEA nationals who have obtained pre-settled or settled status under the EU Settlement Scheme will hold physical evidence in the form of a UK-issued Biometric Residence Card, EUSS Family Permit or EUSS Travel Permit.

4. What if I cannot access the 'View and Prove' system to show my status at the airport?

While carriers are not required to establish whether you have status under the EU Settlement Scheme, you may find it useful to travel with a copy of the e-mail from the UK Home Office which proves that you have settled or pre-settled status or with a Certificate of Application which proves that you have made an application to the scheme.

If you have pre-settled or settled status under the EU Settlement Scheme you will not be required to provide evidence of your status at the UK border. You should use the passport or national ID card that's linked to your online status to enter the UK.

If you use a document which is not registered to your UKVI account, you may experience delays at the border

5. I was denied boarding by the airline because my national identity card was mistakenly considered as not good for travel to the United Kingdom. What can I do?

Your EU air passenger rights continue to apply when you fly any airline from the EU to the UK. When you fly from the UK to the EU these rights only apply if you are using an EU airline.

If you have presented yourself in time for check-in with a valid flight reservation, and you are denied boarding by the airline, although you have the correct travel documents, you are entitled to:

- compensation
- the right to choose between reimbursement, re-routing or rebooking at a later stage
- assistance (such as refreshments, food, accommodation if you are rebooked to travel the next day)

This also applies in case where the airline considered your valid national identity card as inadequate travel documentation to travel to the United Kingdom, while in fact it was an appropriate travel document thanks to your status as beneficiary of the Withdrawal Agreement.

Airlines need to assess carefully if there are reasonable grounds for denying boarding based on travel documentation. Therefore, unless the airline can demonstrate reasonable grounds to deny boarding, you will always retain the above rights.

If you think your rights have not been respected, there are several forms of redress you can use. You should however always send your complaint to the airline first using either the complaint form provided by the airline or the EU air passenger rights form.

More details about your rights and how to claim them can be found on Your Europe.

Please note that the EU passenger rights regulations only address situations where passengers cannot travel due to a denied boarding by the air carrier. In case you miss your flight for other reasons (e.g. health, security and/or customs checks at the airport of departure), your right to reimbursement or re-routing will depend on the type of ticket (i.e. whether refundable or not; possibility to rebook, etc.) as specified in the carrier's terms and conditions.

6. My application to EU Settlement Scheme is pending – I was living in the UK by 31 December 2020 and I have a Certificate of Application but have not yet been granted a status under the EU Settlement Scheme. Can I still use my national ID card to enter the UK?

Citizens who have not yet been granted a status but have made their application to the EU Settlement Scheme and received a Certificate of Application (issued after the application has been verified), can continue to use their national ID card to enter the UK.

Citizens who made an in-time application should not be asked or required to show evidence of residence in the UK by 31 December 2020 when entering the UK, as the Certificate of Application should be sufficient to demonstrate a pending EU Settlement Scheme application.

7. I have applied to the EU Settlement Scheme as a "joining family member" – I have a Certificate of Application but have not yet been granted a status under the EU Settlement Scheme. Can I still use my national ID card to enter the UK?

If you applied to the EU Settlement Scheme as a "joining family member" outside the UK and you have not yet received a decision on your application, you are not generally able to use your Certificate of Application and national ID card to enter the UK.

If you have been issued with an EU Settlement Scheme family permit you can use this document to enter the UK with your national ID card.

If you were issued with an EU Settlement Scheme family permit and have now applied to the EU Settlement Scheme as a "joining family member" inside the UK, you can travel in and out of the UK using your Certificate of Application and your national ID card.

If you applied to the EU Settlement Scheme as a "joining family member" after entering the UK as a visitor, the UK Home Office strongly advises you not to try to travel in and out of the country until you are granted status. If you try to travel before you are granted status you may not be permitted to reenter the UK.

8. I have made an application to the EU Settlement Scheme with my passport which has now expired, and I only have my ID card. Will I have issues proving I have a status under the EU Settlement Scheme?

It is recommended that holders of EU Settlement Scheme status travel in and out of the UK using the document linked to their status.

This will be the document that was used to make the EU Settlement Scheme application. However, the UKVI account allows for new ID documents to be added to the profile which means that multiple ID documents (passports and national ID cards) can be linked to one's status.

If the status holder has obtained a new ID document, they should immediately update their UKVI account details to include any additional travel documents on their UKVI account. This will reduce any unnecessary delays at the border as Border Force may need to check a person's status if they try to enter the UK using an ID document that is not linked to the UKVI account.

Please note that there can be a delay between adding the new ID document to the UKVI account and the updated ID being verified by the Home Office. Therefore, it is a good idea to retain the existing ID document linked to the UKVI account until the new ID document has been verified as linked to the account. Once the new ID document has been added to the UKVI account, this is the document used to log into the account. Any older ID documents will be retained on the UKVI account and can be used for travel as long as they remain valid.

Guidance on how EU citizens can view and prove their status, as well as update their details, is available on the "<u>Update your UK Visas and Immigration account details</u>" page.

9. I travelled abroad on my passport but I lost it. Can I re-enter the UK on my national ID card?

It is recommended that anyone travelling in and out of the UK uses the same document to enter and exit the country. If this is not possible – for example if you lost your passport aboard – you will still be able to enter the UK using a national ID card even if you exited on your passport (and vice versa). As noted above, it is a good idea to have all your ID documents linked to your UKVI account to avoid being delayed when you return to the UK.

10. Can I enter the UK with a temporary passport, regardless of whether I am a beneficiary of the Withdrawal Agreement or not?

Yes, it is possible to enter the UK with a (non-biometric) temporary passport, if it is valid.

11. I am not a beneficiary of the Withdrawal Agreement and do not have a status under the EU Settlement Scheme. Can I exit the UK using the ID card?

Yes. However, the ID document must be accepted for entry at the country of destination. Therefore, if you wish to leave the UK using a national ID card you must check that the country you are travelling to will allow you to enter using a national ID card rather than a passport.

12. I am not a beneficiary of the Withdrawal Agreement and do not have a status under the EU Settlement Scheme. Could I still use my national ID card when I am only transiting in the UK?

EU citizens seeking to enter the UK, including in transit to another destination, require a valid passport. ID cards are no longer accepted for entry unless citizens are a beneficiary of the Withdrawal Agreement.

If EU citizens do not have a passport where required, they are liable to be refused entry to the UK.

13. Where can I find out more about visiting the UK?

For more information, go to the GOV.UK page here: https://www.gov.uk/guidance/visiting-the-uk-as-an-eu-eea-or-swiss-citizen. Anyone travelling to the UK will also need to comply with COVID-19 health measures.