

Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community:

*RESIDENCE RIGHTS AND RESIDENCE  
DOCUMENTS IN THE REPUBLIC OF CYPRUS  
IN A 'NO-DEAL'SCENARIO*





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## Summary

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This paper sets out how Cyprus intends to protect, even in a case of 'no deal' scenario, the residence rights of United Kingdom (UK) nationals and their family members, including family members who are third country nationals, in view of the UK leaving the European Union (EU).

Law 121(I)2019 is currently based, as far as possible, on the provisions of the draft Withdrawal Agreement published on 19<sup>th</sup> of February 2019 and the EU Directive 2004/38/ EC on Free Movement, and, its implementation will mean that:

- UK nationals and their family members who, by 31.10.2019 or as per date decided by EU, have been continuously residing in Cyprus for five years will be eligible for permanent residence.
- UK nationals and their family members who already reside in Cyprus or arrive by 31.10. 2019 or as per date decided by EU (the date UK is leaving the EU), but will not yet have been continuously residing in Cyprus for five years, will be eligible for residence, enabling them to stay until they have reached the five-year threshold, allowing them to apply for permanent residence.
- UK nationals and their family members, who are covered by this legislation, will be able to continue their lives in Cyprus, with the same access to work, study, subject to the specific provisions provided by Law 121(I) 2019.

### Key issues:

**Withdrawal Agreement:** The EU has reached an agreement with the UK on citizens' rights, ahead of the UK leaving the EU on 31.10.2019 or as per date decided by EU.

This Agreement will become legally binding when it is set into force.

In the case of a 'no deal' scenario, Cyprus is going to implement the Law 121(I)2019, which was passed by the parliament on 12/7/2019 and it is based on the provisions of the draft Agreement and the directive 2004/38/ EC on Free Movement.

**Who it covers:** The law 121(I)2019 will protect those UK nationals and their family members, who have already exercised or will exercise their free movement rights in Cyprus by 31.10.2019, or as per date decided by EU (the date UK is leaving the EU).

**No Transition period:** There will be no transition period.



## How it works for UK nationals:

- a. UK nationals and their family members who have already exercised or will exercise free movement in Cyprus by 31.10.2019 or as per date decided by EU, but, until this date will not have completed continuous residence of five years, will be eligible for residence.
- b. Those who will complete five years of continuous residence in Cyprus by 31.10.2019 or as per date decided by EU, will be eligible to acquire permanent residence.
- c. Those who will not have completed five years of continuous residence in Cyprus, will be able to remain in Cyprus to build-up five years of continuous residence. Commencement of this five-year period for both cases starts at the moment of exercising the free movement rights, which may be at any time before 31.10.2019 or as per date decided by EU.
- d. UK citizens, who want to come to Cyprus after the date UK is leaving the EU, **will need to adhere to Cyprus immigration rules/policy.**

## How it works for UK nationals' family members:

- a. Existing family members of UK nationals covered by the legislation, who are living in a country other than Cyprus on 31.10.2019 or as per date decided by EU (the date UK is leaving the EU), will be able to reunite in Cyprus with the UK national as a family member, at any time in the future. They will then be eligible to qualify for permanent residence after completing five years of continuous residence.
- b. Children born or adopted after the 31.10.2019 or as per date decided by EU, by a UK national or their spouse/partner in a civil union covered by the legislation will enjoy the same rights as pre-existing family members. Future spouses and partners of UK citizens who want to come to Cyprus after the 31.10.2019 or as per date decided by EU, will need to adhere to Cyprus immigration rules/policy.

## Resident documents:

Holders of current resident documents (MEU1, MEU2, MEU3) will be able to continue to use them as means of proof for residence rights in Cyprus. **These documents will continue to be valid until 31.12.2020.**

Applications received up until 31.10.2019 or as per date decided by EU, will be examined on the basis of the current Free Movement rules, and, if approved, will result to the issuance of the current residence documents.

**In the meantime the UK Nationals and their family members, who have exercised their right on Free Movement prior to 31.10.2019 (the date UK is leaving the EU) but did not submit yet an application, have the right after 31.10.2019, to submit the current application and to receive the current document which is going to be valid until 31.12.2020.**



**Applications for issuing the Resident document on the basis of Law N121(I)2019 will be accepted from 1.1.2021.**

### **Key dates:**

UK leaving the EU:

**31.10.2019 or as per date decided  
by EU**

Transition period:

**No Transition period**



# 1. The draft Withdrawal Agreement

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The EU has reached an Agreement with the UK on citizens' rights, ahead of the UK leaving the EU .

**Due to the fact that so far this Agreement has not been approved by the UK**, the government wants to reassure that UK citizens and their family members living in Cyprus, are welcome to stay even in the event of a 'no deal' scenario, by setting into force the **Law N 121(I)2019**, which is based, as far as possible, on the draft Withdrawal Agreement and the EU Directive on Free Movement 2004/38/EC.

## 1.1. Transition Period

As there would be not an Agreement in place, there would be no agreed transition period, so the provisions of this Law121(I)2019 can only apply to UK citizens who are resident in Cyprus by 31.10.2019 or as per date decided by EU.

## 1.2. Who is covered ?

The legislation applies to:

- a. UK nationals and their family members who have already exercised or will exercise their right to reside in Cyprus in accordance with Union law, by 31.10.2019 or as per date decided by EU, and continue to reside in Cyprus thereafter.
- b. UK nationals and their family members who on 31.10.2019 or as per date decided by EU, are not residing in Cyprus but had previously resided in Cyprus without acquiring permanent residence right, provided that after 31.10.2019 or as per date decided by EU, they will still maintain continuity of residence as defined in current free movement rules.
- c. UK nationals and their family members who on 31.10.2019 or as per date decided by EU, are not residing in Cyprus but had previously resided in Cyprus and had acquired permanent residence right, provided that their absence did not exceed a period of five consecutive years.
- d. Family members residing overseas by 31.10.2019 or as per date decided by EU, wishing to join a UK national covered by the Law **N121(I)2019** after this date are allowed to do so, given that the relationship existed at or before that date and it continues to exist when the person wishes to come to Cyprus.

Family members of a UK national include:



- a spouse,
- a civil partner,
- direct descendants who are under the age of 21 or are dependents (including of those of the spouse or civil partner)
- Dependent direct relatives in the ascending line (including of those of the spouse or civil partner).
- children born or adopted after 31.10.2019 by a UK national or their spouse/ partner covered by the Law **N121(I)2019** .

### 1.3 Examples

- a. A UK national and her family are continuously residing in Cyprus from 2009 but happen to be abroad for holiday on 31.10.2019 or as per date decided by EU. They all enjoy residence rights provided by this Law **N121(I)2019**.
- b. A UK national covered by the Law **N121(I)2019** marries an Indian national on December 2019. The spouse wishes to join the UK national in Cyprus. The spouse will need to meet Cyprus' immigration rules and policy.
- c. A UK national covered by the Law **N121(I)2019** marries a USA national on February 2019. The spouse wishes to join the UK national in Cyprus. The spouse will enjoy residence rights provided by this law.
- d. A UK national not covered by the Law **N121(I)2019** marries a Chinese national on November 2019. Both wish to reside in Cyprus. Both will need to adhere to Cyprus' immigration rules and policy.
- e. In December 2019, a UK national covered by the Law **N121(I)2019** wishes to be joined in Cyprus by his 8-year-old daughter. The daughter will enjoy residence rights provided by this legislation.
- f. In October 2024, a UK national covered by the Law **N121(I)2019** adopts a 16-year-old boy. In November 2024 the UK national wishes to be joined his son. The son will enjoy residence rights provided by this legislation.
- g. A UK national was living in Cyprus from February 2018 until February 2019. He then departed for participating in a student exchange programme abroad. He stayed abroad until December 2019. He wishes to return and reside in Cyprus. He enjoys residence rights provided by this legislation.
- h. A UK national was living in Cyprus from June 2010 until September 2017 and she acquired permanent residence in Cyprus. She then departed from Cyprus and stayed abroad until 2024 when she decided to return. She does not enjoy residence rights provided by this Law **N121(I)2019**. She will need to meet Cyprus' immigration rules and policy.



## 2. How it Works?

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### 2.1 Before the UK leaves the EU (today – 31.10.2019 or as per date decided by EU)

#### 2.1.1. Residence Documents

Current free movement rules apply. Upon application, provided that the free movement requirements are met, one of the following current documents are issued (also known as yellow slips):

- ***Certificate of Registration (MEU1)***  
Document certifying the residence for European Union citizens and for their family members who are also European Union citizens.
- ***Residence Card (MEU2)***  
Document certifying the residence for family members of a European Union citizen who are not nationals of a Member State of the European Union.
- ***Certificate of Permanent Residence (MEU3)***  
Document certifying permanent residence for European Union citizens and for their family members who are also European Union citizens.
- ***Card of Permanent Residence (MEU3)***  
Document certifying permanent residence for family members of a European Union citizen who are not nationals of a Member State of the European Union.

#### UK nationals and their family members:

- i. **Who reside in Cyprus and are holders of a residence document:** Current free movement rules apply.
- ii. **Who reside in Cyprus and are NOT holders of a residence document:** Current free movement rules apply. Upon application, one of the current residence documents (Certificate of Registration, Residence Card or Certificate/Card of Permanent Residence) will be issued, provided that the free movement requirements are met.



**PLEASE NOTE: Current documents issued under the EU Directive 2004/38/EC, are going to continue to be valid until 31.12.2020 .**

Holders of current residence documents will fall under a much simpler procedure.

**Applications for issuing the resident document on the basis of Law N121(I)2019 will be accepted from 1.1.2021.**

**In the meantime, the UK Nationals and their family members, who have exercised their right on Free Movement prior to 31.10.2019 and they are able to prove it, but did not submit an application until 31.10.2019, have the right after 31.10.2019, to submit the current application and to receive the current document, which is going to be valid until 31.12.2020.**

### Examples

- a. A UK national and his Israeli wife are continuously residing in Cyprus since 2017. They have never applied for residence documents. In August 2019 they decide to apply. They fulfill free movement rules. The UK national will receive a Registration Certificate and his wife a Residence Card.
- b. A UK national and her Chinese partner arrive in Cyprus on 15 September 2019. They file applications for residence documents. They fulfill free movement rules. The UK national will receive a Registration Certificate and her partner a Residence Card.
- c. A UK national and her Pakistani son reside in Cyprus since 2016 and are holders of a Registration Certificate and a Residence Card, respectively. They do not have to do anything, as they enjoy residence rights and they are already holders of documents evidencing this, but they must apply for new residence document from 1/1/2021.
- d. A UK national is continuously residing in Cyprus since 2009. Although she fulfills free movement rules, she has never applied for a residence document. She was told that there is no need to do anything and that even after the 31.10.2019 or as per date decided by EU, she will maintain her right of residence in Cyprus. This is true, as long as she is covered by **the legislation** she maintains her residence rights. Nevertheless, should she wish to apply for a residence document after 31.10.2019 or as per date decided by EU, she will need to submit documentary evidence in order to establish that she has been continuously residing in Cyprus prior 31.10.2019.  
If she had acquired a residence document before 31.10.2019 or as per date decided by EU, showing only her passport (as proof of identity) and her Certificate of Permanent Residence would be enough.  
In case she chooses not to apply for residence documents even after the 31.10.2019 or as per date decided by EU, it is likely to face practical issues in exercising her rights.



### 2.1.2 Requirements

Requirements for the issuance of current residence documents to UK nationals and their family members remain unchanged. Applications are and will continue until 31.10.2019 or as per date decided by EU, to be examined in accordance with the conditions set out in [Directive 2004/38/EC](#). You can find out information on existing requirements on [www.moi.gov.cy/crmd](http://www.moi.gov.cy/crmd)

### 2.1.3 Application procedure

The application procedure for the issuance of current residence documents to UK nationals and their family members remains unchanged. Applications are and will continue to be submitted to the [Civil Registry and Migration Department](#) in Nicosia and to the [District Units of the Aliens and Immigration Service of the Police](#).

You can find out information on existing procedures on [www.moi.gov.cy/crmd](http://www.moi.gov.cy/crmd)

## 2.2 After the UK leaves the EU (from 31.10.2019 or as per date decided by EU)

### 2.2.1 Residence Documents

Cyprus will require UK nationals and their family members residing in its territory in accordance with the conditions set out in **the Law N121(I)2019, to apply for a new residence status as a mean of verifying that they are entitled to the residence rights set out in the legislation. Applications for the residence documents will be accepted from 1.1.2021.**

#### Specifically:

- holders of current residence documents (yellow slips),
- persons who will receive a current residence document (yellow slip) by 31.10.2019 or as per date decided by EU,
- non-holders of current residence documents (yellow slips) who reside in Cyprus and are covered by the legislation, and
- persons covered by the legislation arriving and residing in Cyprus after the 31.10.2019 or as per date decided by EU,



will have the right to receive, in accordance with the conditions set out in Directive 1030/02, a new residence document upon application.

### 2.2.2 Requirements

Applications will be examined in accordance with the conditions set out in the Law N121(I)2019, which are generally in line with current Free Movement rules and major provisions of the Draft Withdrawal Agreement.

People will need to file an application and they should not be regarded as a threat to public policy, public security or public health (for more information you can refer to the Law121 (I)2019).

The main requirement for the new residence document to be granted will be residence in Cyprus. Specifically:

- Where a UK national and their family member have been continuously residing in Cyprus for five years (less in some particular circumstances: see section 2.2.3), they will be eligible for **permanent residence** and a relevant residence document. Once acquired, the right of permanent residence shall be lost only through absence from Cyprus for a period exceeding five consecutive years.
- Where a UK national and their family member have been continuously residing in Cyprus for less than five years, they will be eligible for **residence** and a relevant residence document. These people will be eligible to apply for permanent residence as soon as they have completed five years of continuous residence in Cyprus (less in some particular circumstances: see section 2.2.3).

A UK national continuously residing in Cyprus prior to 31.10.2019 or as per date decided by EU, will be able to be joined after that date by close family members who reside overseas, if the relationship existed at that date and it continues to exist when the person wishes to come to Cyprus. Children born or adopted after 31.10.2019 or as per date decided by EU, by a UK national or their spouse/ partner are also covered by the Law 121(I)2019.

### 2.2.3. Continuity of residence

Continuity of residence is not affected by temporary absences not exceeding a total of six months a year, or by absences of a longer duration for compulsory military service, or by one absence of a maximum of twelve consecutive months for important reasons such as pregnancy and childbirth, serious illness, study or vocational training, or a posting. Continuity of residence is broken by any expulsion decision duly enforced against the person concerned.

### 2.2.4 Application procedure



Applications will be submitted to the [Civil Registry and Migration Department](#) in Nicosia and to the [District Units of the Aliens and Immigration Service of the Police](#).

We are aiming to implement a simple and straightforward procedure. Most applicants will need only to demonstrate that they are a UK national or a family member and prove their continuous residence in Cyprus (and that of the UK national if they are a non-UK national family member).

The process will be straightforward for those UK nationals and their family members who are holders of a Certificate of Registration, Residence Card or Certificate/Card of Permanent Residence (so-called yellow slips). To keep documentary evidence to a minimum, holders of these residence documents, **must apply for the new residence document from 1.1.2021**, and will not need to submit anything else with their application other than a valid passport as proof of identity.

Persons who are not holders of a Certificate of Registration, Residence Card or Certificate/Card of Permanent Residence, **will be able to submit documentary evidence of their residence prior to 31.10.2019**. Where appropriate, they will be granted a permanent residence document, otherwise, where their documentary evidence establish that they have been continuously residing in Cyprus for a period of less than five years, they will be granted **a residence document**.

Recommended documentary evidence may - for example - include the following (not all required in every case, nor individually, but as appropriate depending on the case):

- Rental agreement or property sale contract, or title deed, for the last five years.
- Utility bills or statements of accounts from the relevant Authority (water, or telephone or electricity) dating back five years.
- Bank statement dating back five years.
- Social Insurance Certificate for contributions over the last five years by month.
- Any other document proving the completion of a continuous period of residency of five years in of Cyprus.

Eligible persons will be able to start applying from 1.1.2021. An application will involve payment of a required fee, **which will be announced**.

Applicants who are holders of a valid Certificate of Registration, Residence Card or Certificate/Card of Permanent Residence issued before the 31.10.2019 or as per date decided by EU, will not need to submit any further documents with their applications, apart from a valid passport, as proof of identity. All other applicants will need to submit with their applications the documents, which are generally provided in [the current free movement rules](#).

We will update [this webpage](#) with information as it becomes available, with a particular focus on the relevant practical arrangements.



## 3. Residence Documents as proof of residence right

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The residence documents granted to UK nationals and their family members (either current documents valid until 31.12.2020, or the new documents, which will be issued after 1.1.2021) will enable them to continue their lives in Cyprus. These documents can be used as proof of their right to live and work in Cyprus.

In this respect, these documents will also be used (with a valid passport for UK nationals and for their family members who are not UK nationals) to travel to and from Cyprus. Non-UK family members who are holders of these documents will not be subject to a visa requirement. Family members who are EU nationals will only need a valid passport or national identity card.

After 31.10.2019 or as per date decided by EU, where a family member wishing to join a UK national in Cyprus and an entry visa is required, this person will be facilitated to obtain the necessary visa (free of charge and on the basis of an accelerated procedure). You can find out more information on current visa policy [here](#)