In the months prior to the Referendum, the campaign for the “Leave” vote promoted leaving the EU. After the vote, facing the imminent departure from the EU, many demonstrated against it. Since the Referendum took place, and almost two years later, no one seems to know for sure what the consequences will be or exactly what will happen.

...and the teacher told us how plants grow, and then Freida said...

Hi Mum!
Hi Granny!

The way I see it, Brexit is terrible news...

We have to stay calm, we don’t really know what will happen.

MARÍA, I CANNOT KEEP ON WATCHING THE NEWS ON BREXIT. IT SCARES ME. WHAT’S GOING TO HAPPEN?

WHAT’S WRONG WITH DADDY, MUM? WHY IS HE SO ANGRY?

Because of Brexit?

Moma, you must try to relax. Laura gets scared when she sees you like that... We’ll do things properly, and you will see everything will turn out alright.

LAURA PLEASE GO TO BED. I’M GOING OVER THESE DOCUMENTS WITH DADDY.

But your parents have to apply for a residence card, and Laura already has the right to become a British citizen, we must apply as soon as possible.

So we need to apply for a permanent residence permit.

And María already was the right to become a British citizen, we must apply as soon as possible.

What’s going to happen?

Maria, I cannot keep on watching the news on Brexit. It scares me. What’s going to happen?

We have to stay calm. We don’t really know what will happen.

WHAT’S WRONG WITH DADDY, MUM? WHY IS HE SO ANGRY?

Because of Brexit?

WHAT’S WRONG WITH DADDY, MUM? WHY IS HE SO ANGRY?

He’s not angry, sweetie. He’s just concerned.

Maria, I cannot keep on watching the news on Brexit. It scares me. What’s going to happen?

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Exercising treaty rights?
This can be through working or studying + comprehensive sickness insurance, self-sufficient + comprehensive sickness insurance or to already have a permanent residence card, etc. Please note that a person could “exercise treaty rights” in different ways. For example, first as a worker, then as a student and then again as a worker.

If you stop working that does not necessarily mean you are no longer considered a worker. For example, a person could stop working because they go on maternity leave, have an accident at work, or retire, without losing their worker status.

Family permit
A “visa” to enter the UK as a family member of a European (EEA) national.
Valid for 6 months. Once in the UK the person has to apply for a residence card.

Registration certificate
A card issued to EEA nationals who are “exercising treaty rights” in the UK and have been doing it for less than 5 years.

Residence card
For family members of EEA nationals exercising treaty rights in the UK.
Valid for 5 years.

Permanent residence
For EEA nationals and their family members.
Requirements in most of the cases:
EEA nationals – need to have exercised treaty rights for at least 5 years.
Family members of EEA nationals – residing in the UK for at least 5 years.

Residence card
For family members of EEA nationals exercising treaty rights in the UK.
Valid for 5 years.

Permanent residence
For EEA nationals and their family members.
Requirements in most of the cases:
EEA nationals – need to have exercised treaty rights for at least 5 years.
Family members of EEA nationals – residing in the UK for at least 5 years.

Derivative residence right
A card valid for 5 years which gives the right to reside in the UK for that period but does not lead to permanent residence.

Requirements in divorce cases:
1. Couple has resided in the UK for at least one year
2. Has been married to, or in a civil partnership with, an EEA national for at least 3 years immediately before beginning proceedings for divorce, annulment or dissolution.
3. The EEA national was exercising treaty rights in the UK at least from the moment when the divorce started up to when the divorce proceeding came to an end.
4. The family member is “exercising treaty rights” after the divorce.

What is obtained? Depending on the case, permanent residence or a new residence card.

Complex cases

Requirements in divorce cases:
1. Couple has resided in the UK for at least one year
2. Has been married to, or in a civil partnership with, an EEA national for at least 3 years immediately before beginning proceedings for divorce, annulment or dissolution.
3. The EEA national was exercising treaty rights in the UK at least from the moment when the divorce started up to when the divorce proceeding came to an end.
4. The family member is “exercising treaty rights” after the divorce.

What is obtained? Depending on the case, permanent residence or a new residence card.

Information provided by Manuel Padilla Behar, MPB Solicitors.