



Information about Brexit for UMC staff

Solution from the Dutch Cabinet for British citizens in the Netherlands in the case of a *no deal* Brexit.

The Cabinet has promised a decent solution for the residency of British citizens in our country even if it turns into a *no deal* scenario after the date of withdrawal of the United Kingdom (UK) from the European Union. In his letter dated 7 January 2019, Minister Blok explained what that decent solution would look like according to the responsible Ministries.

Look here for the complete text of the

letter: <https://www.rijksoverheid.nl/documenten/kamerstukken/2019/01/07/kamerbrief-over-fatsoenlijke-oplossing-burgers-no-deal-brexit>

An overview of issues that UMC employees may encounter is given below:

Residing and working in the Netherlands

Consequences of a *no deal* Brexit

In the case of a *no deal*, citizens from the UK and their family members who were resident in the Netherlands before the date of Brexit can no longer base their residency status on EU-citizenship. They may no longer participate in freedom of movement of people in the EU without taking certain measures. British employees thus lose their access to the Dutch job market.

Transition period of 15 months for British citizens who are already legally resident in the Netherlands

The Cabinet therefore proposes a national transition period of 15 months from the date of the withdrawal of the UK from the EU. During this transition period, British citizens who are already legally resident in the Netherlands retain the rights they enjoyed before Brexit to residence, study and work in Netherlands. This also applies to family members of British citizens who do not have an EU-nationality.

British citizens and their family members will be invited by the Immigration and Naturalisation Service (IND) to submit an application for a definitive residency permit. The same residency conditions will apply as for EU-citizens (directive 2004/38). A distinction is made between a residence longer or shorter than 5 years in the Netherlands:

- British citizens who have lived legally in the Netherlands for **longer than 5 years** can get a permanent residency permit under the same conditions as EU-citizens. They do not have to meet all the integration requirements.
- British citizens who have lived legally in the Netherlands for **less than 5 years** can get a temporary residency permit if they meet the residency criteria for EU-citizens who have resided in the the Netherlands for less than 5 years. This permit grants them free access to the job market. Employers do not need to apply for a work permit to keep them or employ them. They do not have to meet all the integration requirements.

British citizens who want to come to the Netherlands after Brexit

British citizens who want to come live in the Netherlands after a *no deal* Brexit must request a residency permit as a 'third-country national'. However, just like Americans, Canadians, Japanese and South Koreans, they will be exempt from the requirement for a temporary residence authorization (Machtiging tot Voorlopig Verblijf, MVV). They can therefore submit the request for a residency permit in the Netherlands. Employers who wish to employ these British citizens will have to apply for a residence and work permit or a work permit.



To apply for a standard residence and work permit or a work permit, an employer must first recruit within the Netherlands and the European Union, Norway, Iceland, Liechtenstein and Switzerland. Only when no suitable candidate can be found is it permitted to search in the UK. There are exceptions to this rule, for example recruiting foreign *knowledge workers*; information about this can be found at the [Entrepreneurs' plaza](#).

Fiscal consequences

Brexit does not change the application of the bilateral tax treaty which determines the right to levy tax. With a *no deal* Brexit, the fiscal concessions lapse for Dutch people living in the UK whose income is taxed (entirely or in part) in the Netherlands (foreign taxpayers), including tax credits, mortgage interest deductions and personal deductions. The State Secretary for Finance has announced the intention to produce a transition arrangement, in which the UK would be considered an EU member for the current tax year for a number of tax laws, allowing the current fiscal regime to remain in force.

If a British employee does not have a valid residence and/or work permit, the anonymous rate will be withdrawn from his gross salary if no further measures are taken.

Social security

The Minister also stated that regarding social security, a decent solution will be chosen for both British citizens in the Netherlands and Dutch citizens in the UK. In a draft decision, a safety net scheme was proposed with grandfathering effect on current Dutch benefits for people resident in the UK and a transition right for people who gain the right to a Dutch benefit (except the WW and IOW) in the period of 12 months after the date of a *no deal* Brexit. Further details have been published in the letter from the Minister of Social Affairs and Employment to the House of Representatives dated 15 February: <https://www.rijksoverheid.nl/ministeries/ministerie-van-sociale-zaken-en-werkgelegenheid/documenten/kamerstukken/2019/02/15/kamerbrief-sociale-zekerheid-bij-brexit-no-deal>

Right to care

Dutch people (insured ones) who travel to the UK are currently eligible to make use of medical care through their medical insurance. The Healthcare Insurance Act (Zvw) has worldwide cover. Even after Brexit the worldwide cover of the Healthcare Insurance Act applies, and care will be reimbursed at a rate in conformance with the Dutch market.

With a *no deal* Brexit, travelers from the UK will be 'third-country nationals' (from the date of Brexit). There is no bilateral treaty with the UK regarding care. That is why British travelers will no longer be insured via EU-legislation from the date of Brexit. A British EHIC – European Health Insurance Card – is also no longer valid. For more information about uninsured British tourists, see: <https://www.brexitloket.nl/onderwerpen/gezondheidszorg>

Driving license

In the case of a *no deal* Brexit, holders of a British driving license who were residing in the Netherlands before Brexit may continue driving with it for a maximum of 15 months after Brexit (assuming the driving license is still valid). During these 15 months, they can exchange that driving license for a Dutch driving license. This can be done under the same conditions as before Brexit, so you will not have to take the theory or practice exam again.

After a *no deal* Brexit, UK driving licenses will no longer be recognized as an EU driving license. More information about this can be found on the site of the RDW: <https://www.rdw.nl/over-rdw/dienstverlening/brexit>



What can a *no deal* Brexit mean for caregivers?

Caregiver currently works with a British diploma in the Netherlands

Nothing will change. In a *no deal* scenario the accreditation of British diplomas and BIG registrations based on British diplomas issued before Brexit will remain valid.

Caregiver wants to work with a British diploma in the Netherlands after Brexit

The possibility of automatic accreditation of British diplomas for the professions medical doctor, pharmacist, dentist, midwife and nurse will lapse. This means that caregivers with a British diploma in these professions will not be able to use the rapid accreditation procedure, in which designated diplomas were directly accredited, without requiring a professional assessment. In a *no deal* scenario, the professional qualifications will have to be examined when requesting accreditation of the diploma. This can be done by taking a general knowledge and skills test (AKV). In addition, medical doctors, dentists and nurses will have to undergo a professional assessment (BI).

Caregiver works with a Dutch diploma in the UK

The UK will determine what rights the Dutch caregiver has and what actions s/he may have to take. We advise consulting the websites of the competent authorities in the UK.

Caregiver wants to go work with a Dutch diploma in the UK after Brexit

The UK will determine which procedure will apply. S/he will most likely have to undergo the longer procedure of diploma recognition valid in the UK (with professional assessment). We advise consulting the websites of the competent authorities in the UK.

More information about this is available at:

<https://www.bigregister.nl/actueel/nieuws/2019/januari/17/gevolgen-no-deal-brexit>

Studying in the Netherlands

The Cabinet intends to ensure that all British students already resident in the Netherlands on the date of Brexit may continue to study under the same conditions as other EU-citizens. This means that the statutory tuition fees apply and they keep the right to study financing, if the other criteria for EU-citizens are met.

British students who come to the Netherlands after the withdrawal of the UK from the EU and start studying will be treated as 'third-country nationals'. This can have consequences for their right to statutory tuition fees and study financing.

Communication to British citizens in the Netherlands

The IND will inform British citizens and their family members resident in the Netherlands in a letter about their rights in a *no deal* scenario. This letter and more information in English can be found on the IND website: www.ind.nl/Brexit

More information is available at: <https://www.rijksoverheid.nl/onderwerpen/brexit/>
