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Baroness Ludford  
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15 January 2020

*Dear Sarah,*

Further to our exchanges during Lords Committee stage of the Withdrawal Agreement Bill on 14 January (Columns 584-594), I wanted to clarify some points with regard to reminding European Economic Area and Swiss citizens, and their family members, granted pre-settled status under the EU Settlement Scheme of the expiry of that status.

As I said during the debate, the Government committed to introducing such a reminder system in the Statement of Intent on the EU Settlement Scheme (paragraph 1.18), published in June 2018, which is available here:  
<https://www.gov.uk/government/publications/eu-settlement-scheme-statement-of-intent>.

The details of exactly how and when we will issue such reminders are being developed, but they are likely to be issued around six months prior to the expiry of the pre-settled status (which is five years' limited leave to enter or remain). To be clear, we will be reminding people of the expiry of their pre-settled status, not of when they may qualify for settled status (as we will not necessarily know this). People can of course apply for settled status as soon as they qualify for it (once they have accrued five years' continuous residence here or less where particular criteria are met, consistent with the basis on which the right of permanent residence may be acquired under EU law, and as set out in the Immigration Rules for the EU Settlement Scheme contained in Appendix EU). They do not need to wait until the expiry of their pre-settled status.

While the scheme launched fully on 30 March 2019, it was rolled out incrementally and the first applications were received, on a test basis and from a limited cohort of applicants, from 28 August 2018. The first grants of pre-settled status were made in

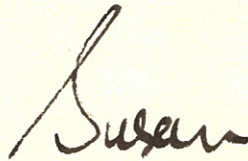


September 2018 and, as all grants of pre-settled status are for a period of five years, the first date at which any pre-settled status granted under the scheme will expire will be September 2023. Therefore, the earliest point at which reminders of the expiry of pre-settled status will need to be issued is in 2023.

You also asked during the debate why the Home Office is continuing to issue documents confirming the right of permanent residence under EU law. While the UK remains an EU Member State and, under the terms of the Withdrawal Agreement, during the implementation period, it remains bound by its obligations under EU law, which include a requirement to issue, on request, documents certifying the right of permanent residence to those who request them and meet the relevant conditions.

We have made clear in our communications and on gov.uk that those with documented permanent residence status (valid under EU law) will need to apply for settled status (valid under UK law). Where such people apply to the EU Settlement Scheme, they are not required to provide any further evidence of their UK residence.

I am placing a copy of this letter in the House Library.

A handwritten signature in black ink, appearing to read 'Susan', with a stylized flourish above the name.

**BARONESS WILLIAMS OF TRAFFORD**