

APRIL 2019 | UPDATE



British Embassy
Paris

VOISINS VOICES

A BRITISH EMBASSY NEWSLETTER



Dear Everyone,

The British Government continues to seek a way in which the UK can leave the EU in an orderly manner and without undue delay. In the meantime, the French Government is publishing more information about what a no-deal would mean for British nationals in France. We want to share this information with you, so we will be emailing updates to you as and when we can.

This update covers the French Ministry of Interior's decree about entry, residence, social rights and professional activity in France for British nationals in the event of a no-deal departure from the EU. The second part of this newsletter covers the recognition of UK driving licences in France in the event of no-deal.

On British nationals' residency in France

We are pleased to [share with you a translation of the French Ministry of Interior's decree](#). This has been done by a legal translator, but remains an unofficial document. In case of any discrepancies or differences in interpretation, [the French original will prevail](#).

The decree is meant to be read alongside [the ordonnance](#) that came out on 6 February — an unofficial translation of this ordonnance is available [here](#). We will pull the information from both documents together so that we can update our [Living in France guide](#). It is important to get this right so it will take us a few days.

In the meantime, here is a summary of the decree's provisions. As you can tell, it's not definitive and there are a number of points, some of which we've flagged below, where we are seeking more information from the French authorities.

- **The grace period to get your appropriate status for residency is confirmed as one (1) year following Exit day.** During this year, citizens already residing in France on Exit day will see their residency and associated work and social rights maintained.
- **There will be a six (6) month period following Exit day to submit your application** for the new residence status. You will need to apply for a new card even if you have an EU card (permanent or other). We have raised the issue of insufficient capacity at some préfectures and understand that the process will be simplified, including to reduce visits to the préfecture where possible.
- **The application fee will be €119 for the first card issued.** There is no information about renewals.
- **Where there is a financial resource requirement for certain residency cards (e.g. the "visitor" card for "non-actifs or retired"),** the decree says that this will take into account individual circumstances, including whether you own your property or stay in your home for free. It also indicates that the resources requirement will not exceed the basic level of the RSA benefit. We know that this is a really important issue for many of you, and we continue to press for further detail and the most generous approach possible.
- **Applicants for certain cards will need to show that they have health insurance.** However, the decree does not specify what types of cover will count as health insurance for this purpose – so we are raising this urgently with the French government.
- **To get one of the new residence cards, you will need:**
 - a valid passport
 - a recent, passport-type photo (3.5 × 4.5 cm)
 - current carte de séjour if you have one, or

- proof of the date you moved to France if you do not currently hold a carte de séjour.
- PLUS further papers depending on the type of card you apply for. For example, if you are applying for a “salarié” or worker status, you will need to provide your work contract and a recent payslip (not more than three months old).

On UK driving licences in France

On 3 April, the French authorities [published more details](#) about the use of UK driving licences in France in the event of the UK leaving the EU without a deal. This judgment (“arrêté”) is meant to be read alongside the [judgment of 8 February 1999](#) on the recognition of European driving licences. Here is a summary of the provisions of both and what they mean in practice.

- **The UK driving licences of British nationals resident in France before the UK leaves the EU will be recognised in the same way as they are now, including if we leave without a deal.** This covers
 - people currently resident in France and those who relocate here up to the date of a no-deal exit. There is no limit to this recognition, but we would recommend that residents exchange their licences at some point in the future.
- **In the event of a no-deal, British nationals who move to France after we leave the EU will have to change their UK driving licence for a French one within a year of arrival in France.** Please see the conditions for converting a licence below.
 - However, people who hold British licences that were initially issued in the British Virgin Islands, the Falkland Islands, the Faroe Islands, Gibraltar, the Republic of Korea or Zimbabwe will not be able to convert their licences and will have to take a French driving test to obtain a French licence. The one year grace period still applies.
 - Students will be able to continue to drive on their British driving licence for as long as they are registered students in France.

The judgment of 8 April 1999 defines the conditions for recognising and exchanging licences. These conditions stipulate that one cannot hold both a French driving licence and a driving licence of another EU/European economic zone country at the same time. In order to exchange a British driving licence for a French one, the British driving licence must:

- Be valid.
- Belong to a person having reached the minimum French age for that licence.
- Respect any specific conditions attached to the licence (e.g. restrictions linked to disability, use of prescription lenses, etc.).
- Be held by someone who is not subject to driving restrictions, suspension or similar in the country which issued the initial licence.
- Not have been obtained while the holder was barred from driving in France.

Please note that French driving licences will still be valid for use in the UK after EU exit.

Although not covered in this judgment, we continue to be told that British tourists will need to carry a certified translation of their UK driving licence with them or carry an International Driving Permit. We are pressing for more details on this.

A reminder again that the provisions mentioned above will apply if the UK leaves the EU without a deal. Other provisions will apply if we leave with a deal.

As soon as we have updated our Living in France guide, we will send round an alert. You can register for an alert [by clicking here](#). We will also be running another Facebook Q&A and we will update you on social media and [GOV.UK](#) with the date.

Thank you.