



British Embassy  
Brussels

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## CITIZENS' RIGHTS NEWSLETTER

A monthly update for UK nationals resident in Belgium  
under the Withdrawal Agreement

In this month's edition, we are looking at **residency with a focus on eligibility for the M card.**

[You can find previous editions here.](#)

### ◆ NEWS UPDATE ◆

#### MINISTER MORTON VISIT

UK FCDO Minister for European Neighbourhood and the Americas, Wendy Morton, was on a virtual visit to Belgium earlier this month. You may have seen her at our live Teams outreach event, at which we were also delighted to welcome the Belgian authorities to our expert panel. [You can listen to Minister Morton's reflections on her visit in this interview with The Bulletin.](#)

#### BELGIAN NATIONALITY

The Embassy has received confirmation from the Belgian Minister of Justice that, for the purposes of applying for Belgian nationality, you can continue to accumulate time spent in Belgium with your new M card so you do **not** lose any time accrued on your previous residency card (E/E+/F/F+). You do not have to give up your British nationality if you choose to also apply for Belgian nationality.

You have until 31 December 2021 to apply for your new M card in Belgium - some other European countries have an earlier application deadline (e.g. 30 June).

#### NEW SURVEY!

We have launched a new survey to capture your latest experiences of applying for a new residency card. [You can find our latest survey here](#) - contributions are anonymous but don't forget to mention your Commune / Gemeente!

Your feedback in our previous survey was used to raise issues directly with the Office for Foreigners.

#### Withdrawal Agreement - key terms

The Withdrawal Agreement protects the rights of UK nationals who were **legally resident under EU law** before 1 January 2021. These UK nationals are sometimes referred to as "being in scope of the Withdrawal Agreement" or as "having exercised free movement rights".

"Exercising free movement rights" means the UK national must have been meeting the conditions as set by the EU Free Movement Directive, so in practice, was resident in Belgium as:

- an employed or self-employed individual
  - a registered jobseeker
  - a student
- an economically inactive person (e.g. a pensioner) but with sufficient resources (e.g. savings)

#### What is the M card and how do I get it?

The M card is the new Belgian residency card for UK nationals and their non-EU family members in scope of the Withdrawal Agreement.

Contact your Commune / Gemeente for details on how to apply for the M card and to see whether you need to book an appointment.

The [Office for Foreigners' official guidance](#) has detailed information on the M card and the application requirements.

#### IMPORTANT

There are **NO** exceptions whereby a mono UK national would not need to get a new residency card. Even if you just received a new E card last year, got permanent residency with an E+ card, or if your existing card is still valid for another few years, you **MUST** apply for a new residency card by 31 December 2021.

#### What is the F card and why are some people being offered it?

The F card is the Belgian residency card for non-EU spouses or family members of an EU national. It does not demonstrate rights under the Withdrawal Agreement. For example, an American national married to an Italian national would be eligible for an F card.

There are some circumstances where the Commune / Gemeente may have registered UK nationals under **Belgian family reunification rules**. For example, a small group of UK nationals came to Belgium with or to join an EU spouse or family member. When they went to their local municipality to register for the first time, and receive their E card, they may have been registered in the system as entering Belgium under family reunification rules, regardless as to whether they were actually dependant on their EU family member or not.

Now that the UK has left the EU, this group of UK nationals are now eligible for the F card as they are now considered non-EU spouses or family members of an EU national. However, in this case you may also be eligible for an M card in your own right. If you are eligible for both cards, which one you choose is a personal decision.

[You can find more details on the F card on the Brussels Commissioner website](#), under "A.2 From Belgium via the municipality".

[You can find more information on family reunification rules on the Brussels Commissioner website.](#)

#### Why might a UK national only be eligible for the F card?

To be considered in scope of the Withdrawal Agreement, UK nationals must have been exercising their free movement rights before 1 January 2021.

To be eligible for the M card, a UK national must be able to provide evidence that they were exercising free movement rights by this date, meaning they were in Belgium and employed/self-employed, a jobseeker, a student or able to maintain themselves with sufficient resources (e.g. savings).

Most UK nationals will have already provided this information as part of their original registration application at their local municipality, so do not need to submit it again when applying for the M card.

If a UK national came to Belgium under family reunification rules (details above) and are unable to provide supporting evidence that they were exercising free movement rights, they may not be eligible for the M card and may choose to apply for the F card on the basis of their relationship with an EU national. We expect this to impact a very small number of UK nationals.

It is important to note that the F card does not count as proof that you are protected by the Withdrawal Agreement.

[You can find details of this situation in the FAQ section of the Office for Foreigners' official guidance.](#)

#### What happens to our previous residency cards? (E/E+)

You must keep your previous residency card while you wait for a decision on your M card application. Do not give it back to your Commune / Gemeente until you have your new M card.

You can continue to use your previous valid residency card until **31 March 2022**, or until you receive your new M card. After 31 March 2022, regardless of the expiry date marked on the card, your card will become void.

You can continue to use your previous valid residency card as proof of your residency for the purposes of travelling until 31 December 2021.

[You can find more information on the validity of your previous residency card on the Office for Foreigners' official guidance.](#)

#### June Facebook Q&A and Teams Live Event - key takeaways

##### Belgian Nationality

If you have an ongoing nationality application, you should still apply for your new M residency card. Both applications can take place alongside each other.

##### Driving licences

You must exchange your UK driving licence for a Belgian one if you have been **registered** as a resident in Belgium for over 185 days. If you are still waiting for a new residency card application from your Commune / Gemeente, and have not yet been issued with a national registration number, you can continue to drive on your UK driving licence.

##### Status change

Your residence rights under the Withdrawal Agreement are not affected if you decide to change "status". For example, you were employed but decide to return to studying. Or you were employed but lost your job so registered as a jobseeker.

[Click here to see all the questions received at this month's Facebook Q&A](#)

(no Facebook account needed).

#### Upcoming Embassy Events

##### 30 June till 14 July

[Survey for UK nationals](#) to share experiences applying for a new residency card

##### 7 July from 18:00 to 20:00

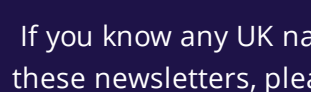
**Q&A Session** on [British Embassy Brussels Facebook Page](#).

A second Teams Live outreach event is being planned for **October**, so that you can put your questions directly to our panel of experts. More details to follow.

#### Tell a Friend

If you know any UK nationals living in Belgium who would benefit from receiving these newsletters, please do not hesitate to spread the word! They can sign up to receive the newsletter by [sending a blank email using this link](#).

#### Stay in Touch



Find the latest information on our [Living in Belgium guide](#)

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