



A MESSAGE FROM JILL MORRIS, HER MAJESTY'S AMBASSADOR

British Embassy Rome

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Following the vote in Parliament on 15 January and the Prime Minister's statement to the House of Commons on 21 January, as well as the events in Parliament yesterday, I wanted to update you on issues related to Citizens' Rights.

Latest Developments

On 15 January, the House of Commons voted against the Government's proposed agreement with the European Union. The following day the Government defeated a vote of no-confidence called by the Opposition. On Monday 21 January the Prime Minister made a statement to the House, where she confirmed that the government would lay an amendable motion to be debated and voted on 29 January. Yesterday, a majority of MPs said they would support a deal with changes to the backstop. Combined with measures to address concerns over Parliament's role in the negotiation of the future relationship and commitments on workers' rights, it is now clear that there is a route to securing a deal that can command a substantial and sustainable majority in Parliament.

The government will now take this mandate forward and seek to obtain legally binding changes to the Withdrawal Agreement that deal with concerns on the backstop while guaranteeing no return to a hard border between Northern Ireland and Ireland. The government will talk to the EU about how to address Parliament's views.

As the Prime Minister said yesterday, *'we acknowledge that there is limited appetite for such a change in the EU and negotiating it will not be easy. But in contrast to a fortnight ago, Parliament has made it clear what it needs to approve this Withdrawal Agreement'*. And she said that Parliament *'has also reconfirmed its view that it does not want to leave the EU without a Withdrawal Agreement and Future Framework.'*

Citizens' Rights remains the top priority of the Government. The reciprocal agreement we have reached (see [Issue 7](#) for an outline of the Withdrawal Agreement) would mean that EU citizens

in the UK and UK nationals in the EU could continue living their lives broadly as they do now. However, we are also stepping up preparations for all possible eventualities, including a No Deal scenario. In the UK, we have [reassured EU citizens](#) and their family members living in the UK that they are welcome to stay in the event of a No Deal scenario. We have based our approach on the Withdrawal Agreement and have unilaterally guaranteed that EU citizens resident in the UK by 29 March 2019 and their family members will be able to stay. They will continue to be able to work, study, and access benefits and services on broadly the same terms as now.

On 21 December, and as outlined in my last newsletter, the Italian Government [announced](#) that it would be offering a reciprocal offer in a No Deal scenario to UK nationals resident in Italy before 29 March 2019 to protect their rights. It called upon UK Nationals in Italy to register as a resident before 29 March. This week, I and my colleagues have been meeting the Italian government again to learn more about the details of that offer. As soon as we have further information we will update you, including on our [gov.uk Living in Italy](#) page.

Citizens' Rights – Q & A

I am keen to use this Newsletter to answer a selection of questions I am asked most often, or am asked in Town Hall meetings (most recently in Rome and in Florence). You can find previous Q & As in previous newsletters [here](#). So I hope you will find the selection below helpful.

• **After the UK leaves the EU on the 29th March, will I still be able to vote in Italian local elections?** Once the UK leaves the EU, UK nationals will no longer be eligible to vote in local and European elections. The Government has made clear that we will pursue bilateral arrangements with individual Member States to secure this right for both UK nationals living in the UK, and EU citizens in the UK. (Any bilateral agreement the UK makes with Member States will stand in a No Deal unless and until Parliament makes changes to the relevant UK legislation).

• **Will the UK Government continue to uprate the UK state pension even in a No Deal scenario?** The UK State Pension is payable worldwide and this will continue to be the case when the UK leaves the EU with or without a deal. The UK leaving the EU will not affect entitlement to continue receiving the UK state pension if you live in the EU and we are committed to uprate across the EU in 2019/20.

We would wish to continue uprating pensions beyond that but would take decisions in light of whether, as we would hope and expect, reciprocal arrangements with the EU are in place. We are confident EU Member States will feel, as we do, that it is in all our interests for this to happen on a reciprocal basis.

• **Will UK nationals have their past social security contributions made in both the EU and the UK protected in a No Deal?** We are committed to protecting the state pensions of UK nationals living in the EU and are exploring options to protect past social security contributions, made in the EU and the UK. We will continue to work with Member States to do the same.

- **How might the UK exit from the EU affect adoption rights of a UK citizen and Italian citizen resident in Italy, including of a non-EU child?** Parents resident in Italy who wish to adopt a child must meet certain requirements including: at least 18 years old and no more than 45 years older than adoptee, married for at least 3 years & parents resident in Italy. International adoption is permitted and falls under Law 184 requiring a special procedure. Accredited agencies handle the entire process (*'enti autorizzati'*). For further information on adoption in Italy please contact the *'Tribunale per il minorenni'* (Juvenile Courts) who oversee the whole process.

- **Would a dual national Italian-UK citizen living in Italy with a UK passport be considered for fee purposes by a UK university as a 'home student'?** UK nationals resident in the EU remain eligible for home fees providing they meet the existing residency requirement. EU nationals and their family members, starting courses in England in the 2019/20 academic year will remain eligible for undergraduate and postgraduate financial support from Student Finance England for the duration of their course providing they meet the existing residency requirement.

The devolved administrations have made similar announcements though the exact support offered may vary across the different parts of the UK.

Entitlement to student finance and home fees status after academic year 2019-20 for UK returners and those outside the scope of the Withdrawal Agreement is under consideration.

- **How would the UK same-sex marriage of UK citizens resident in Europe be regarded after the UK leaves the EU?** Italy does not permit same-sex marriage but instead permits the registration of same-sex civil unions. Italy has registered same sex civil unions since 2016. The British Embassy in Rome is able to post notice of registration and issue a certificate of no impediment for the local registration of same sex couples. If the Withdrawal Agreement is ratified, no significant changes would be expected to the status of UK nationals resident in Italy before December 2020. If the UK leaves the EU without a deal on the 29 March, then UK nationals registering a civil union in Italy may, as non-EU nationals, be required to undertake additional documentary measures (e.g. legalisation of Embassy documents) as may opposite-sex couples who are getting married. All new requirements will be detailed in advance on our Living in Italy page.

- **Are UK nationals living in Italy able to open UK bank accounts?** Will that change after the 29th March? Basic bank accounts are a bank account which must be fee-free and have no overdraft facility, but otherwise provide the same functions as a standard current account. Under the Payment Accounts Regulations 2015, the nine largest current account providers in the UK are required to offer these accounts to EU residents but only if the customer meets certain eligibility criteria.

The nine providers who must offer basic bank accounts to those who meet the eligibility criteria are:

- Barclays • Clydesdale and Yorkshire Bank • Co-operative Bank • HSBC • Lloyds Banking Group (including Halifax and Bank of Scotland brands) • Nationwide • Royal Bank of Scotland (including NatWest and Ulster Bank brands) • Santander • TSB

Unlike basic bank accounts, firms are not obliged to offer their standard current accounts to UK nationals who live in the EU, but a small number choose to do so. There are no specific regulations – EU or otherwise – which prevent firms from offering their UK bank accounts (excluding basic bank accounts) to EU residents. It is a commercial decision for banks whether or not they choose to offer their standard UK current accounts to EU residents.

In the event of a No Deal, it will be at the discretion of the nine providers above whether or not to continue to offer basic bank accounts to EU residents or whether to keep existing ones open. With regard to standard current accounts, as the decision to offer standard current accounts to EU residents is currently a commercial decision for banks, and there is no specific EU regulation governing this decision, we do not expect a No Deal exit to affect the status quo.

- **Can I still use my passport to travel to the EU in a No Deal scenario?** Yes. British passports remain compliant with the guidelines as set by the International Civil Aviation Organization and are still valid for travel within and outside the EU. However, the Schengen Border Code places requirements on maximum validity and unexpired validity needed for non-EU passport holders.

In the event of a No Deal scenario, you will need to check whether your passport meets the new requirements when travelling to the Schengen area from 30 March 2019. Most people will be unaffected, but if your passport is nearing the end of its validity you may need to renew it early.

The Government has already published advice on [travelling to the EU without a UK passport in the event of a no deal](#). These rules will apply if you are returning to the Schengen area. You should check your passport issue date and that it is no more than 9 years and 6 months before the date you arrive in the Schengen area.

HM Passport Office has provided an online checker on www.gov.uk to allow you (British passport holders) to see if you have enough validity to travel.

- **Will my passport be accepted for travel/entry back to the UK if it doesn't comply with the new rules?** Yes, these rules are only for entry to the Schengen area. All British citizens arriving in the UK are required to produce a valid British passport satisfactorily establishing their identity and nationality. As long as the passport is valid at the time it is presented, there is no requirement for it to be valid for a minimum period.

● **Will the UK continue to accept Italian ID cards to enter into the UK after 29 March?** EU identity cards would remain valid for travel to the UK initially. Although there would be no immediate change, as we introduce the new UK immigration system from 1 January 2021, we would no longer guarantee that EU citizens will be able to use a national identity card to enter the UK. This would support the Home Office's attempts to streamline border processes and better secure our borders.

● **Can a dual UK-Italian national travel between the UK and Italy on either a UK passport or an Italian ID card?** Yes. Both documents are currently accepted by both countries for entry. Citizens holding both can use either (it is advisable to use the document that was used to book a flight). In a No Deal scenario, UK nationals travelling to Italy on a UK passport will need to ensure it has at least 6 months' validity. The UK Government cannot guarantee EU ID cards will be accepted to enter the UK after January 2021.

● **I live in Italy and hold a UK driving licence, should I get a foreign licence now?** Holders of UK driving licences who are resident in an EU country should exchange their UK licences for a driving licence from the EU country you are living in before 29 March 2019. If you have not exchanged your UK licence after our exit from the EU, you will be subject to the domestic laws of that country and how they treat non-EU licence holders, which could mean needing to retake your driving test. Many EU Member States only recognise third country licences for up to 6 months. EU issued driving licences will continue to be recognised in the UK after our exit from the EU, including in a No Deal scenario.

To convert a UK licence to an Italian licence, go to the nearest Office of Motor Vehicles, Ufficio Provinciale della Motorizzazione Civile, or ACI, Automobile Club Italiano, office.

● **What if I want to return to the UK to live and have an Italian driving licence?** If someone passed their driving test in the UK, but then exchanged their UK licence for an EU licence as a result of moving to an EU, they would be able re-exchange for a UK licence after exit, if they returned here to live.

● **I live in Italy but I have family coming to visit me this year, bringing their car. What should they do?** If you are a visitor to Italy, from 29 March 2019, in the event that there is no EU Exit deal, you may need an International Driving Permit in addition to your UK driving licence to drive in EU and EEA countries. IDPs cannot be applied for from overseas by residents in the EU.

Keeping up to date

Lastly, there are a number of ways to stay informed. Please continue to check our [Living in Italy](#) page which we will keep updated on how to secure your rights in Italy. When changes are made, you can receive email alerts by signing up [here](#). [UK Nationals in the EU](#) has a wealth of official information on the UK Exit and how it might affect you. You can find information for UK nationals living in the EU in the absence of a withdrawal agreement [here](#). Lastly you can follow us on Facebook and Twitter as well as my own [@JillMorrisFCO](#) for further updates.

On 9 January I hosted a town hall meeting for UK nationals in Florence and last night I jointly hosted a meeting in Rome with colleagues from the UK Government's Foreign & Commonwealth EU Exit Directorate. At both events I was able to update those present on current negotiations and to answer questions on a range of issues. We will continue to do regular town hall meetings across Italy – the next one will be in Palermo on the 4th February. Do keep an eye out for [future announcements](#) and let us know what regions you would like us to visit by emailing us at uknationals.inItaly@fco.gov.uk.

Best Regards

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Her Majesty's Ambassador to Italy

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