**THE UNITED KINGDOM LEAVING THE EUROPEAN UNION – IMPLEMENTATION OF THE WITHDRAWAL AGREEMENT – INFORMATION ON ARRANGING THE RESIDENCE OF CITIZENS OF THE UNITED KINGDOM AND THEIR FAMILY MEMBERS IN THE REPUBLIC OF SLOVENIA UNTIL 31 DECEMBER 2020 AND FROM 1 JANUARY 2021 ONWARDS**

**1. Arrangements regarding residence in the Republic of Slovenia, valid until 31 December 2020**

As regards residence in Slovenia, Chapter XIII of the Foreigners Act (Official Gazette RS No. 1/18 – consolidated version, 9/18 corr. and 62/19 – Constitutional Court decision, hereinafter: the Foreigners Act) applies to United Kingdom citizens and their family members until the end of the transitional period under the Agreement. This Chapter regulates the entry and residence of EU citizens and their family members, as well as the family members of Slovenian nationals. Until the end of 2020, a citizen of the United Kingdom does not need leave to enter Slovenia, i.e. a visa or residence permit. After entering the country with a valid identity card or a valid passport he or she may reside in the territory of the Republic of Slovenia for 90 days from the day of entering the country without residence registration certificate for EU citizens. If he or she wishes to reside in the territory of the Republic of Slovenia for more than 90 days, he or she must apply for residence registration certificate for EU citizen at the administrative unit in the area of his or her residence prior to the expiry of the 90 day period.

A family member of a United Kingdom citizen who is not an EU citizen can enter Slovenia until the end of 2020 due to family reunification with a United Kingdom citizen with a valid passport containing a visa issued by a competent Slovenian authority or by another state party to the Convention on the Implementation of the Schengen Agreement, dated 14 June 1985, unless he or she is a citizen of a country with which Slovenia abolished visas or when using a valid passport and residence permit issued by another EU Member State. After entering the country, the family member is allowed to reside in Slovenia without a residence permit for 90 days from the date he or she entered the country. If he or she wishes to stay longer due to family reunification or to maintain family unity, he or she, or his or her legal representative, or the United Kingdom citizen must file, before the expiry of the authorised residence, an application for the issuance of a residence permit for a family member of an EU citizen at the administrative unit in the area where the family member resides.

**2. Arrangements regarding residence in the Republic of Slovenia, valid from 1 January 2021**

As of 1 January 2021, the Agreement also regulating the rights on residence and the issuance of new residence permits will take effect for those United Kingdom citizens and their family members who will lawfully reside in Slovenia before the end of the transitional period and intend to stay in the country also after the end of this period.

However, the Agreement **does not apply** to those United Kingdom citizens who, as of the date of the expiry of the transitional period, reside as **posted workers** or persons working for an employer from the United Kingdom or an EU Member State. In Slovenia they work under a contract between a foreign operator and a contractor from Slovenia. After the expiry of the transitional period, these United Kingdom citizens are not entitled to a residence permit under the Agreement. If they wish to reside in Slovenia after the expiry of the transitional period as posted workers, it is suggested that immediately after the expiry of the transitional period they file an application with the administrative unit where they reside for a single permit for posted workers (Article 45 of the Foreigners Act) that is issued to third country nationals who are temporarily posted in Slovenia due to performing cross-border services or receiving training in a Slovenian company.

**a) The deadline for the submission of an application for a temporary residence permit under the Agreement**

A United Kingdom citizen and his or her family members who are not EU citizens residing in Slovenia on the date of the expiry of the transitional period under the Agreement or on 31 December 2020 based upon a valid residence registration certificate for an EU citizen, a residence permit for an EU citizen’s family member, or a temporary residence permit for an EU citizen’s family member, and who continue to reside in Slovenia after the expiry of the transitional period must lodge, within one year from the end of the transitional period, or no later than by 31 December 2021, or before the expiry of the certificate or the permit if it expires before 31 December 2021, an application with the administrative unit where they reside for a temporary residence permit issued under the Agreement.

A United Kingdom citizen and his or her family members who are not an EU citizen residing in Slovenia on 31 December 2020 during the authorised 90-day period since entry into the country but who wish to stay in Slovenia for more than 90 days must file an application for temporary residence under the Agreement with the administrative unit in the area where they reside before the 90 day period expires.

A family member of a United Kingdom citizen who is not an EU citizen and to whom the Agreement applies and who on 31 December 2020 will not reside in Slovenia but who wishes to reunite with a United Kingdom citizen who before the expiry of the transitional period lawfully resided in Slovenia and will reside in the country also after the expiry of that period is allowed to reside also after the expiry of the transitional period. After the expiry of the transitional period, he or she can reside in Slovenian territory without a residence permit for three months from the date of entering the country or birth in Slovenia. If the family member wishes to reside due to reunification with a United Kingdom citizen in Slovenia also after the expiry of the residence permit mentioned in the previous paragraph, he or she or his or her legal representative must file an application for a temporary residence permit under the Agreement before the expiry of three months from the date of entering the country or birth in Slovenia with the administrative unit in the area where he or she resides.

**b) The deadline for the submission of an application for a replacement of a permanent residence certificate for EU citizen or a permanent residence permit for family member of an EU citizen, for permanent residence permit under the Agreement**

A United Kingdom citizen and his or her family members who are not EU citizens residing in Slovenia on the date of the expiry of the transitional period, i.e. on 31 December 2020, based on a valid permanent residence registration certificate for an EU citizen or a residence permit for a family member of an EU citizen, must within one year from the end of the transitional period, or no later than by 31 December 2021, or before the expiry of the card of a permanent residence permit if it expires before 31 December 2021, file an application for the replacement of the certificate or permanent residence permit for permanent residence permit issued under the Agreement with the administrative unit in the area where they reside.

**c) Requirements for issuing a temporary or permanent residence** **permit under the Agreement**

The requirements for issuing a temporary or permanent residence permit are essentially the same as those under the EU rules on the freedom of movement (Directive 2004/38/EC of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of Member States) that determine their residence rights, which means that a United Kingdom citizen and his or her family members who are not EU citizens must meet the same requirements as those for issuing a valid certificate or permit for residing in Slovenia of which he or she is a holder. During the procedure he or she must also submit a physical or digital photograph in the prescribed size showing his or her actual image and provide two fingerprints to be recorded digitally since the new permit is issued as an independent document as a card with a biometric image of the face and two fingerprints.

**d) Acknowledgement of receipt of an application**

A United Kingdom citizen and his or her family members are immediately issued an acknowledgement of receipt of an application for the issuance of a temporary residence permit, the replacement of a certificate or the issuance of a permanent residence permit by the administrative unit.

An acknowledgement of receipt confirms that:

* the application has been filed;
* the applicant has fulfilled the obligation to file an application for a new residence status;
* it is deemed that the applicant has a full right to reside under the Agreement until the application is finally processed.

Until the decision on the application becomes final, it is deemed that the applicant has the right to reside in Slovenia based upon the Agreement.

**e) Administrative fees**

An administrative fee in the amount of EUR 0.50 is to be paid for an application for a temporary residence under the Agreement. For the issuance of a temporary residence permit under the Agreement, an administrative fee in the amount of EUR 4.50 is required. The price for printing a temporary residence card is EUR 12.00.

For the replacement of a permanent residence registration certificate for an EU citizen, a permanent residence permit for an EU citizen, a permanent residence permit for an EU citizen’s family member, or a permanent residence permit under the Agreement, no administrative fee is paid and no costs are charged for printing a permanent residence card.

An administrative fee in the amount of EUR 0.50 is paid for an application for a permanent residence permit under the Agreement. For the issuance of a permanent residence permit under the Agreement, an administrative fee amounting to EUR 9.10 must be paid. The price of printing a permanent residence card is EUR 12.00.

**f) The expiry of residence documents issued to United Kingdom citizens and their family members before 1 January 2021**

* **Expiry of temporary residence certificates and permits**

A residence registration certificate for an EU citizen, a residence permit for the family member of an EU citizen, and a temporary residence permit for the family member of an EU citizen issued to a United Kingdom citizen or his or her family member who is not an EU citizen remain valid until the end of the transitional period under the Agreement for a maximum of one year from the end of the transitional period, i.e. until 31 December 2021 or until a final decision is issued by the competent authority in the procedure for issuing a temporary residence permit under the Agreement, or if the permit expires before 31 December 2021.

* **Expiry of permanent residence certificates and permits**

A permanent residence registration certificate for an EU citizen, a permanent residence permit for an EU citizen, and a permanent residence permit for the family member of an EU citizen remain valid for maximum of one year from the end of the transitional period, i.e. until 31 December 2021 or until a final decision is issued by the competent authority in the procedure for replacing a permanent residence permit under the Agreement, or until the expiry of the card if it expires before 31 December 2021.

**g) Examination of applications for the issuance or renewal of residence registrations for EU citizens, applications for a certificate of permanent residence registration for EU citizens, applications for the renewal of a residence permit of an EU citizen’s family member who is an EU citizen, and applications for a permanent residence permit for an EU citizen’s family member that will not be finally decided on until the end of the transitional period under the Agreement (31 December 2020)**

The procedure for issuing or renewing a residence registration certificate for an EU citizen or a permanent residence registration certificate for an EU citizen initiated based on an application filed by a United Kingdom citizen before the end of the transitional period and that will not be finally decided on until the end of the transitional period will continue and be concluded under the provisions of the Foreigners Act that apply to issuing a residence registration certificate for an EU citizen or a permanent residence registration certificate for an EU citizen. If the requirements for issuing a temporary residence registration certificate or permanent residence registration certificate under the Foreigners Act have been met, a United Kingdom citizen will be issued a temporary or permanent residence permit based on the Agreement.

The procedure for issuing or renewing a residence permit for an EU citizen’s family member or a permanent residence permit for an EU citizen’s family member initiated based on a request by a family member who is not an EU citizen or a United Kingdom citizen filed before the end of the transitional period but which will not be finally decided on until the end of that period will continue and be concluded under the provisions of the Foreigners Act that apply to issuing or renewing a residence permit for an EU citizen’s family member or a permanent residence permit for an EU citizen’s family member. If the requirements for issuing a residence permit or a permanent residence permit under the Foreigners Act have been met, the family member of a United Kingdom’s citizen will be issued a temporary or permanent residence permit based on the Agreement.

**h) The treatment of United Kingdom citizens and their family members to whom the Agreement will not apply as of 1 January 2021**

The provisions of the Foreigners Act with respect to third country nationals and their family members as regards their entry, residence, and departure from Slovenia shall apply to United Kingdom citizens and their family members who are not EU citizens and will not reside in Slovenia by the end of 2020 under Chapter XIII of the Foreigners Act, and who will enter the country for the first time in order to reside here from 1 January 2021 onwards (save the family members of United Kingdom citizens to whom the Agreement applies and were family members already in the period before the expiry of the transitional period who intend to reunite with the United Kingdom citizen to whom the Agreement applies after 31 December 2020).

*Example:*

*A United Kingdom citizen who enters the RS for the first time on 1 January 2021 (after the expiry of the transitional period under the Agreement) in relation to employment or work purposes will have to apply for a single residence and work permit under the provisions of the Foreigners Act.*