



## BREXIT

*On 29 March 2017, the Government of the United Kingdom of Great Britain and Northern Ireland began the process of leaving the European Union. Following this, the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union was negotiated. If the United Kingdom adopts the Withdrawal Agreement, the 21-month transitional period will take effect. If the Withdrawal Agreement is not adopted, the 21-month transition period will not take effect, which means that on 1 February 2020, there would be no transition period and EU laws would stop applying to the UK immediately.*

Provided below is information for UK citizens living in Slovenia about the changes and timeframes for the regulation of rights in the event of a no-deal Brexit.

In order to protect the range of rights that UK citizens have enjoyed so far in the Republic of Slovenia, Slovenia has legally regulated this area by adopting the **Act regulating certain issues in the event of the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union without an agreement**. The implementation of the provisions of this Act will ensure that UK citizens who have acquired the right of residence in Slovenia prior to Brexit may continue to enjoy their acquired rights.

The Act regulates the exercise of rights until the end of 2020. After this period, the majority of areas, in particular the matters related to the coordination of social security systems, are expected to be regulated at the EU level.



## 1. The status of UK citizens in Slovenia

- UK citizens and their family members who will **have a valid (permanent) registration certificate for an EU citizen or a (permanent) residence permit for a family member of an EU citizen on the day of the UK's withdrawal** will have to exchange this certificate/permit for a biometric temporary or permanent residence permit. They must do this in one year from the withdrawal or before the expiry of the validity of the certificate/permit if this period is shorter than one year. In this case, the temporary residence permit will be issued for the period until the expiry of the (previous) certificate/permit.
- **Requests by UK citizens and their family members for the issuing of a (permanent) registration certificate for an EU citizen or a (permanent) residence permit for a family member of an EU citizen submitted before the withdrawal that have not yet been decided upon will continue to be processed** after the withdrawal under the same conditions that apply to the issuing of the certificates and permits for which the request was submitted. If the conditions are met, UK citizens or their family members will be issued biometric temporary or permanent residence permits. Temporary residence permits issued in this case will be valid for one year or for the period of the intended stay in Slovenia if it is shorter than one year. For family members of UK citizens, such permits will be valid for the same period as temporary residence permits for UK citizens.
- **UK citizens and their family members living in Slovenia on the day of the withdrawal who do not have a registration certificate or residence permit for the permitted 90-day period since the day they entered the country, as governed by the Foreigners Act and who wish to remain in Slovenia for more than 90 days must submit an application to the relevant administrative unit before the expiry of the 90 days** for the issuing of a registration certificate for an EU citizen or a residence permit for the family member of an EU citizen. In such cases, biometric temporary residence permits will be issued for the period of one year or for the period of the intended stay in Slovenia if it is shorter than one year. For family members of UK citizens, such permits will be valid for the same period as the biometric temporary residence permit issued to UK citizens.

**For other UK citizens and their family members, after the withdrawal**, concerning their entry, departure and residence in Republic of Slovenia, the provisions of the Foreigners Act that refer to citizens of countries that are not European Economic Area member will apply.

### More information:

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## 1. Regulation of social security rights and the right to work

The purpose of the Act is to preserve, after Brexit, if no agreement at the EU level is reached, citizens' social security rights regulated at the EU level by the rules on the coordination of social security systems, access to the labour market, cross-border provision of services, recognition of professional qualifications and the right to family benefits and scholarships in the **period until 31 December 2020**.

- Accordingly, in the area of **compulsory pension and disability insurance, unemployment insurance and parental protection insurance**, the rules governing the coordination of social security systems contained in Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, and Regulation (EC) 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems, will continue to apply as of the date of Brexit until 31 December 2020. The fundamental principles of coordination, personal validity, procedures for the exercise of rights and the competent authorities and institutions will remain in effect. The purpose of the Act is to extend the validity of the existing regime of coordination of social security systems currently in force at the EU level until the end of 2020.
- For the above areas, rights will also be recognised after Brexit until 31 December 2020, with the option of **further exercising such rights at any time after 31 December 2020**, which is particularly important for the aggregation of pensionable years to qualify for a pension.
- The Act also provides the possibility for an individual to obtain the necessary certificates from the competent UK institutions on their own, in the absence of proper administrative cooperation from the institutions.
- The Act provides for reciprocity regarding the exercise of UK citizens' individual rights in the field of coordination of social security systems. Individual rights will thus be granted to UK citizens if reciprocity is provided by the UK.
- **A transitional period for access to our labour market** is defined until 31 December 2020 or until the expiry of a valid work permit. Persons from the UK employed in Slovenia have been mostly qualified professionals so far and we want our companies and other entities to continue to be able to employ such persons. At the same time, the arrival of a differently structured workforce in consequence of this provision is not anticipated.
- Until 31 December 2020, UK citizens and their family members **will continue to receive family benefits and scholarships in Slovenia**.
- **The Act ensures that the procedures for the recognition of professional qualifications** which are already in progress will be duly completed. The above refers to cases where a person has submitted an application for the recognition of a professional qualification, but the process will not be completed before Brexit.

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### 3. Access to health insurance

In the event of a **soft Brexit**, insured UK citizens in Slovenia will continue to have access to health insurance as provided by EU regulations on the coordination of social security systems until the end of the transition period (on 31 December 2020).

In the event of a **hard Brexit**, all such documents between the UK and Slovenia will cease to be valid. For UK citizens this means that their documents and the European Health Insurance Card will no longer be valid in the Republic of Slovenia.

UK citizens will become third-country nationals and will have the option of applying for compulsory health insurance in the Republic of Slovenia. The status of UK citizens who are employed or have another status under the compulsory health insurance regime of the Republic of Slovenia will remain unchanged. **S1** form holders (pensioners and their family members) can apply for insurance with the Health Insurance Institute of Slovenia (ZZZS).

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### 4. Regulation of student status

In accordance with Article 66 of the Higher Education Act, all students who are UK citizens and who will be enrolled in a Slovenian public higher education institution on the date of Brexit (Brexit with or without an agreement) will be able to complete the started study cycle under the same conditions as were applicable when they started the study cycle, that is, as EU citizens and without paying tuition fees for foreigners.

As regards the **health insurance of students** who are UK citizens, they will be, at the time of Brexit, insured in accordance with point 14 of Article 15 of the Health Care and Health Insurance Act, which provides that foreign citizens who are enrolled in education or training in the Republic of Slovenia are insured in accordance with this Act if they are not insured in another manner.

### 5. Education of UK citizens' children

- After Brexit, children of UK citizens will retain **the right to compulsory primary school education** under the same conditions as Slovenian citizens, provided they reside in the Republic of Slovenia, as laid down by Article 10 of the Basic School Act.
- **In the field of secondary education**, citizens of the Republic of Slovenia and citizens of EU Member States have the right to education in secondary schools under the same conditions. After Brexit, UK citizens will be treated in the same way as foreign nationals, which means that they will not be able to apply for advertised vacancies within the deadlines applicable to Slovenian citizens and EU citizens, but will only be able to apply for the vacancies still available after the end of registration deadlines. Nor will their secondary education be free of charge. After Brexit, UK citizens will have the right to secondary education under the same conditions as they have had until now, provided that they, or at least one of their parents or guardians, are residents in Slovenia in accordance with the act regulating income tax, or if the principle of reciprocity will apply, as provided by Article 9 of the General Upper Secondary School Act and Article 7 of the Vocational Education Act.
- **In short-cycle higher vocational education**, the status of UK citizens after Brexit is regulated in a manner similar to that for secondary education: after Brexit, UK citizens, like other foreign nationals, will be able to study in schools under the same conditions as citizens of the Republic of Slovenia, provided that they, or at least one of their parents or guardians, are residents of the Republic of Slovenia for tax purposes at the time of enrolment, or if the principle of reciprocity will apply, as provided for in Article 4 of the Short-Cycle Higher Vocational Education Act.

It should also be added that, in the period between Brexit and 31 December 2020, UK citizens and their family members will have the right to education and training in state-approved school and study programmes, and the right to pursue research and development activities, under the same conditions as EU citizens in accordance with the Act regulating certain issues in the event of the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union without agreement, subject to the principle of reciprocity.

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## 6. Validity of driving licences issued in the UK

If the UK withdraws from the EU without an agreement, it will become a third country as of the day of withdrawal. However, third country driving licences can be used in all EU Member States. This area is subject to the national legislation of each country, which may, in addition to the national driving licence, also require an international driving licence in accordance with the relevant Convention on Road Traffic. In Slovenia, the use of UK driving licences for driving motor vehicles will be permitted also after Brexit and international driving licences will not be required.

If you want to replace your UK driving licence for a new one issued in Slovenia, you can do so according to the information provided on the following website: [Infotujci](#). The replacement of driving licences will also be possible after Brexit. In the event that you will not be able to replace your driving licence, you will be able to continue to use your UK driving licence until the expiry of its validity.

A citizen of the Republic of Slovenia who has or had temporary or permanent residence abroad and comes to Slovenia temporarily or permanently will be able to drive with a valid UK driving licence the motor vehicles that they are authorised to drive in accordance with this licence. Such a person will have this right for a maximum of two years from the date of residence registration in the Republic of Slovenia.

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