

Update on current situation for British Ex.pats  
with 5yrs. Legal residency in France,  
but without a Carte/Titre de Séjour  
who now need a

## Withdrawal Agreement Residence Permit (WARP)

18<sup>th</sup> November, 2020

To protect your Rights under the Withdrawal Agreement,  
all British adults resident in France before 31.12.2020, must  
(unless you have obtained French nationality)  
obtain/apply for a *Special* BREXIT  
Withdrawal Agreement Residency Permit (WARP)  
before 30.06.2021

If you want to have a legal right to live permanently in France after 30/06/21, this  
is an obligation – it's not optional

- **If you don't do it, your rights to travel from UK to EU will be restricted, time in France will be limited and by the end of 2022 will be subject to a visa and an Entry/Exit check**
- **Is there a cost? – not at present, just the cost of photo ID for the new Carte**
- **Recently, Marine Le Pen's Party, has suggested a language test should be introduced, however this is not likely to happen for a long time**
- **There should be no more Prefecture Idiosyncrasies as it is a Central Government Website**
- **If your Carte de Séjour application is refused? Situation unclear at present**

# Why is resident status an issue now?

The special *Brexit Cartes* will establish your right to be living in France and receive benefits agreed in the Withdrawal Agreement (e.g. pensions uprating, etc.)

As soon as the transition period expires, then non-EU/EEA nationals face less favourable treatment and a Visa will be required to enter France for only 90 days in any one 180 days

# What ID will France require after Brexit ?

It is possible the Rules governing issue and qualification for a 'standard' (non-WARP Carte) Carte de Séjour could change (*i.e. become more onerous – include a language proficiency test*) after June 2021.

You will have until 30 June 2021 to apply, but you must have arrived in France permanently before 31.12.2020. It will become obligatory to be in possession of a card from 1 October 2021.

Anyone married to a French person will get a 10 year card straightaway.

New arrivals and people who have been here less than five years will get a five year card.

New arrivals who are job-seekers will get a six-month card renewable once (so up to a year to find work).

Everyone will have to go to the local prefecture to provide fingerprints. The cards will be sent to your home address

There is no income limit for the employed or self-employed who can show they are genuinely in work.



# Do I need fluent French to get a Carte de Séjour ?

The application form is available in French and English, web address below ...

<https://contacts-demarches.interieur.gouv.fr/brexit/brexit-demande-titre-sejour/>

There is no requirement to pass an official French language test, but realistically, you will need some French, (or someone to accompany you to translate) when you visit your local Prefecture to have your fingerprints taken and provide an up-to-date photo

## If you are newly arrived, or have fewer than 5 yrs. permanent residence in France what can you do ?

In this situation, it is possible to apply for a Temporary Carte de Séjour (which is renewable) and which covers you for a year at a time. Likewise, if you have been here longer, but not the 5yrs. needed for Citizenship (or for the 10yrs. Carte de Séjour), then this is the route to take until you can prove 5yrs. legal residence, under current legislation, before the UK leaves the EU on 31.12.2020.

At present, anyone arriving in France before 31<sup>st</sup> December, 2020 (Brexit cut-off date) has the right to remain and establish a right to permanent residence. Obtaining a temporary Carte de Séjour gives certainty to being able to stay in France as it establishes your tax and residency status during the interim.

Lack of a Carte de Séjour of any sort, could mean having to apply for whatever new system/rules are put in place after Brexit. However, if you have a WARP card then your legal credentials will already have been established. By applying sooner rather than later, the process should be smoother



# Prefecture Idiosyncrasies ?

There should no longer be any differences between prefectures

If your application is refused, you should be given a reason

If you wish to contest the rejection notice, then make sure you do so within any time limit stated

Also email: [britishinfrance@gmail.com](mailto:britishinfrance@gmail.com) a very active lobby group for the rights of British Ex. Pats living in France.

# If my Carte de Séjour/WARP application is refused, What do I do ?

- As yet there is no 'history' to inform us as the site is too new for such situations to have arisen.
- There would have to be very good reasons for refusal, as the Govt. has asked prefectures to be sympathetic to all applications.

# After 31.12.2020, end of Transition Period

There is a real danger that British nationals without a WARP will become 'Illegal Immigrants' over night as there will be no right to stay in France.

They will have become Third Country Nationals and have to apply for 'visitor visas'.

# Application form ... 1

- **Résumé (afficher le détail de la demande)**
- **Nature of Requirement**
- I have read and accept the General Terms and Conditions
- **Oui**
- Is this your first request for a residence permit using this website, or would you like to submit additional documents following a request from the prefecture?
- **First request**
- **National citizenship**
- Identify yourself
- **I am a British national living in France**
- **Period of residence in France**
- To date (= date of submission of my residence permit application on this site), I have been living in France
- **5 years or more**
- **Residence permit**
- What is the date of your installation in France?
- **17/12/2011**
- Do you have a 10-year residence permit (even if it has expired)?
- **No**

## Supporting documents

Supporting document 1 **My valid passport – jpg file**

Supporting document 2 **Residency certificate**

Supporting document 3 **2019 Impots**

## ALSO,

- One of the documents must be at least 5 years old to prove residence is more than 5 years
- One of the documents must be recent, (less than 3 months is what is usually asked for) so 2020 to prove still here

## Identity information

Title **Mr.** Surname ..... First name 1 .....

First name 2 ..... First name 3 ..... Etc.

Marital status ..... Date of birth .....

Place of Birth ..... Country of birth .....

Nationality BRITANNIQUE, DE GRANDE BRETAGNE

Passport No ..... Issuing authority (example: UKPA, FCO) .....

Issue date ..... Valid till date .....

Continues ...

## Application form ... 2

- **Contact Information**

- Building - Residence - Name
- .....
- Street number, Extension, Street name
- .....
- Hamlet - PO box
- .....
- Postal code followed by the city /town/village
- 11700 .....
- Department
- Aude (11) - préfecture de Carcassonne
- E-mail Address
- .....
- Repeat Email Address
- .....
- Mobile phone\*\*
- .....
- Home phone\*\*
- .....

- **Observations**

- Do you have any additional observations relating to your personal situation that you would like to indicate?
- EXAMPLE OF ADDITIONAL INFORMATION ...
- **NOTRE MAISON EST LA PROPRIÉTÉ DE ..... TOUTES LES FACTURES, ETC. LUI SONT ADRESSÉES. LE SEUL ÉLÉMENT COMPORTANT MON NOM EST NOTRE DÉCLARATION D'IMPÔT.**
- **OUR HOUSE IS OWNED BY ..... ALL BILLS, ETC. ARE ADDRESSED TO ..... THE ONLY ITEM WITH MY NAME INCLUDED IS OUR TAX NOTICE WHICH HAS BEEN ATTACHED FOR YOUR INFORMATION.**
- AFTER SENDING INFORMATION TO WEBSITE ... *Initial acknowledgement from website* - Thank you for using our online residence permit application service. A registration certificate bearing the number.....-4..... will be sent to you in the next few hours ... **THEN A SHORT WHILE LATER**
- Your application has been registered under ..... with the number 29..... Your file will be transferred to the Prefecture of your place of residence for processing.
- **Online WARP application made 29.10.2020, receipt received, awaiting further news as at 13.11.2020.**

# OBSERVATIONS / Additional information at end of application form ...

- Any additional information included here, **MUST BE IN FRENCH AND IN CAPITAL LETTERS.** It may be a good idea to write your additional information in English after the French.
- An example of additional information would be ... if you have changed address very recently, you will need to ask your utility supplier to confirm your move from your old address to the new address.
  - **End of presentation ... hope it has been helpful?**
  - **PMH.**