



05.10.2021

The Home Office have recently noted a large number of queries relating to the rights of EUSS applicants; in particular, whether 'late' applicants hold the right to study in the UK whilst their application is pending.

Please find the following information which will hopefully address some of these queries:

Applicants who applied **by** 30 June 2021:

EEA citizens and their family members, who were resident in the UK by the end of the transition period on 31 December 2020 and **who applied by 30 June 2021** to the EU Settlement Scheme, are advised not to travel outside the UK/to the UK until they are in possession of a Certificate of Application, confirming they have made a valid in-time application to the scheme. If travel before then is necessary, they may experience delays at the border whilst their application is confirmed. In such cases, where it can be confirmed that the pending application has been made by an EEA citizen or their family member, who was resident in the UK by the end of the transition period on 31 December 2020, they will be admitted.

Applicants who applied by the deadline of 30 June 2021 have their rights in the UK protected pending the outcome of the application and any appeal, by the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020:
<https://www.legislation.gov.uk/ukdsi/2020/9780348212204>

Applicants who applied **after** 30 June 2021:

EEA citizens and their family members, who were resident in the UK by the end of the transition period on 31 December 2020 and who applied to the EU Settlement Scheme **after the 30 June 2021** deadline, **must not** travel outside the UK/to the UK until they are in possession of a Certificate of Application, confirming they have made a valid application to the scheme. They may also be asked to provide evidence they were resident in the UK by the end of the transition period on 31 December 2020 in order to be admitted.

Applicants who apply after the deadline of 30 June 2021 also have their rights in the UK protected pending the outcome of the application and any appeal. They require a Certificate of Application to prove those rights whilst their application and any appeal are pending.

A Certificate of Application is issued as soon as an application is valid in accordance with paragraph EU9 of the Immigration Rules for the EUSS in Appendix EU. Applicants who have a digital Certificate of Application can log into the online View and Prove service using

their UKVI account, and generate a share code to prove their rights. This includes share codes for the right to work, **study** or rent and other purposes.

In the case of 'late' applicants, they are unable to prove their right to study in the UK without their Certificate of Application. As such, this document is required before a 'late' EUSS applicant can be enrolled on a course.