



Home Office

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2 February 2022

Dear Jane & Fiona,

Thank you for your letter of 31 December 2021 about the immigration arrangements for family members of UK nationals returning to the UK after living in the EU.

As set out in my response of 15 September 2021, as a matter of domestic policy, the UK Government announced transitional arrangements for these UK nationals and their family members in April 2019. This has provided almost three years' notice of the cut-off date for these provisions of 29 March 2022, allowing reasonable time and flexibility for families to decide whether or not to relocate back to the UK on that basis and to take steps to do so if they wished. Until the end of the transition period on 31 December 2020, this was possible using the 'Surinder Singh' route under the EEA Regulations. From 1 January 2021 onwards, the EU Settlement Scheme (EUSS) family permit has been available to enable relevant family members to travel to the UK. In either case, they could then apply here to the EUSS.

As previously confirmed, where an application for an EUSS family permit is made on this basis by 29 March 2022 but is not decided by that date, it will continue to be processed and an EUSS family permit will be issued where the applicant meets the requirements. A relevant family member who comes to the UK with an EUSS family permit issued in such circumstances will then have 'reasonable grounds' for making an application here to the EUSS after the 29 March 2022 deadline, provided they do so without undue delay.

Regarding your proposal family members of UK nationals returning with them from the EU should be able to enter the UK as a visitor before applying here to the EUSS; any person seeking to enter the UK as a visitor must satisfy Appendix Visitor to the Immigration Rules, which includes the requirement they intend to leave the UK at the end of their visit, so would not be suitable for those with this stated purpose on arrival. A visa national will also be required by a carrier to produce a valid visa or visa exemption document, such as an EUSS family permit, before travel to the UK.

With my very best wishes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K. Foster', followed by a period. The signature is fluid and cursive.

**Kevin Foster MP**  
**Minister for Safe and Legal Migration**