

# GMS Flash Alert



## Immigration Edition

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# United Kingdom - Guidance Issued on Frontier Workers in the U.K.

On 23 September, the U.K. government announced brand new guidance for frontier workers who are currently working or wish to start working in the U.K. by 31 December 2020<sup>1</sup>.

A frontier worker is defined as a European Union (EU), European Economic Area (EEA), or Swiss citizen working in the U.K. (either employed or self-employed) but living elsewhere.

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## WHY THIS MATTERS

This is welcome news to a range of businesses that have employees employed and working in the U.K. but residing elsewhere.

It is also welcome news that the application to obtain the frontier worker permit will be free of charge and, importantly, is expected to offer the option of being completed either in or outside the United Kingdom. This is particularly helpful, as COVID-19 has impacted normal travelling patterns across the world, including business and work travel between the U.K. and EU.

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## Background

The U.K. left the European Union (EU) on 31 January 2020. However a transition period is currently in place, due to end on 31 December 2020. During the transition period, EU, EEA, Swiss (referred to as "EU nationals" throughout this article) nationals are able to continue arriving, working, and residing in the U.K. without immigration permission. EU nationals already resident in the U.K. by 31 December 2020, will be able to remain in the U.K. beyond the end of the transition period, provided they make applications under the EU Settlement Scheme. Their applications must be submitted by 30 June 2021.

## New Rules

Current frontier workers will be able to keep their status provided they apply for a frontier worker permit\*. In order to qualify for a permit, the individual will need to be frontier working in the U.K. by 31 December 2020.

The U.K. government will launch the frontier worker permit scheme later this year. It is intended that applications will be free and can be applied for online from inside or outside the United Kingdom.

Irish citizens will not need a frontier worker permit but may apply for one if they wish.

Current frontier workers can continue to enter the U.K. without a frontier worker permit, using a valid passport or national identity card, until 1 July 2021; however after that date, existing frontier workers will need to hold a valid frontier worker permit, as well as their valid passport or national identity card, to enter the U.K. as frontier workers.

\* An individual can also retain his frontier worker status if he has previously been a frontier worker by 31 December 2020 and one of the following applies:

- temporarily unable to work because of an illness or accident;
- had been working in the U.K. but is now involuntarily unemployed, and is looking for work in the U.K.;
- in vocational training while involuntarily unemployed;
- in vocational training while unemployed, and the training is related to the work carried out in the previous work;
- temporarily unable to work as a result of pregnancy or child-birth;
- on maternity or paternity leave, and will return to the previous employment, or find another job, at the end of this period.

Frontier workers should be issued either with a five-year or two-year permit, dependent on their circumstances.

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### KPMG LLP (U.K.) NOTE

Businesses with impacted individuals should be on the look-out for further news, and we would encourage them to enable their employees to pursue making applications as frontier workers, where deemed desirable.

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### FOOTNOTE:

1 See the U.K. government guidance "Frontier workers in the U.K.: rights and status" webpage by clicking here: ["Frontier workers."](#)

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## Contact us

For additional information or assistance, please contact your local GMS or People Services professional\* or the following professional with the KPMG International member firm in the United Kingdom.

The KPMG Law Immigration Team has a wealth of experience in transactional, advisory, and compliance assurance services. We will be able to advise your business in relation to practical considerations in light of the above changes, as well as what this means for your long-term recruitment and compliance strategies.



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\* Please note that KPMG LLP (U.S.) does not offer immigration services or labour law services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.

**The information contained in this newsletter was submitted by the KPMG International member firm in the United Kingdom.**

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