



THE AIRE CENTRE

Advice on Individual Rights in Europe

How can UK national beneficiaries of the Withdrawal Agreement renew their Greek biometric residence permits?

This information sheet has been prepared to ensure UK nationals in Greece are aware of:

- 1. How they can renew their biometric residence permits; and***
- 2. How they can maintain their rights under the Withdrawal Agreement.***

Any UK nationals who need assistance in relation to the matters discussed here should contact us at eurobrits@airecentre.org

UK nationals and their family members who moved to Greece by 31 December 2020 and reside legally in Greece will retain their right to reside in Greece in the future provided they continue to fulfil the conditions of long-term and/or permanent residence. See below for what **legal** residence means.

UK nationals have the right to obtain a biometric residence permit in accordance with the Withdrawal Agreement as proof of their right to reside in Greece. Biometric residence permits under the Withdrawal Agreement

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will be valid for either 5 or 10 years. UK national holders of biometric residence permits should renew them when the latter expire. Holding a valid biometric residence permit will facilitate your daily life and your interaction with Greek public authorities.

How long are the biometric residence permits valid for?

The biometric residence permits will be valid for 5 years for UK nationals and their family members who have not acquired the right to reside permanently in Greece.

For those who have acquired the right to reside permanently in Greece the biometric residence permits will be valid for 10 years.

Can I lose these rights?

Yes, this is possible if you do not continue to meet the conditions of long-term or permanent residence.

For those with 10 year biometric residence permits, the right of permanent residence can only be lost after an absence of 5 consecutive years.

For those with 5 year biometric residence permits, the right to long-term residence can be lost if you do not legally and continuously reside in Greece for the first 5 years of your residence.

What does 'legal and continuous residence' mean?

Legal residence means residence according to the terms of EU law. In practice this means that you must be a worker, self-employed, a student with comprehensive health cover, self-sufficient with comprehensive health cover or a family member of a UK national who meets these criteria. You

must meet these conditions throughout the first 5 years of your residence in order to retain your status as a beneficiary of the Withdrawal Agreement.

Continuous residence means residence for, at least, 6 months in every 12 month period. UK nationals are obliged to reside continuously in Greece for the first 5 years of your residence in order to acquire the right of permanent residence. UK nationals should note that periods of legal residence before and after the transition period are included in the calculation of the qualifying period necessary for the acquisition of the right of permanent residence. The transition period ended on 1 January 2021.

However, for those with 5 year permits, one absence of up to 12 consecutive months may be justified due to serious reasons. Serious reasons may be (a) pregnancy and childbirth; (b) serious illness; (c) study or vocational training; and (d) a posting abroad. This list is not exhaustive and any serious reason is taken into account, which, demonstrably, makes the absence of the person concerned necessary or unavoidable. However, the decision as to whether your absence from Greece is justified in your particular circumstances, lies within the discretion of the Greek authorities.

If your absence of up to 12 consecutive months has resulted from COVID-19 related restrictions to movement, the Greek authorities have confirmed that they will accept a solemn declaration verifying that your absence is due to the pandemic. The absence for this purpose refers *either* to the period from the beginning of the pandemic in March 2020 (and for as long as the current health situation exists) *or* to a period of absence which started before the beginning of the pandemic but which lasted or lasts longer than six months either at the beginning of or during the pandemic.

This solemn declaration must be drafted and signed by you before a public authority, namely either the police or a KEP (Citizens' Service Centre) officer. You can find the form of the solemn declaration [here](#) and a bilingual version of it (that you cannot use but you can consult) [here](#).

Which are the competent authorities for renewing permits?

The competent authorities for the issuance and renewal of residence documents under Article 18(4) of the Withdrawal Agreement are different depending on whether you live in Attica and Thessaloniki or elsewhere in Greece. UK nationals in Attica and Thessaloniki should attend their local Department of Aliens. Those outside of these regions should attend their local Security Sub-directorate or Safety Department at the headquarters of their Regional Police Directorate. Further details of the relevant authorities can be found at:

http://www.astynomia.gr/index.php?option=ozo_content&perform=view&id=98910&Itemid=133&lang=EN.

What documentation will I need to provide to renew my biometric residence permit?

All UK nationals, irrespective of whether they hold a 5 year or a 10 year biometric residence permit, will need to provide the following:

1. Application form (this will be provided to you by the competent authorities)
2. Valid passport
3. 4 colour passport type photographs
4. 16 euros fee – paravolo (πράβολο) (code 2296)
5. Current biometric residence permit
6. Proof of address (e.g. rental agreement duly registered with the Greek tax authorities, utility bills, landline or mobile phone bill, tax statements)

I have a 10 year biometric residence permit. What additional documentation should I provide to renew it?

You will also need to provide evidence that you have not been absent from Greece for more than 5 consecutive years. Such evidence could be your boarding passes from your trips to and from Greece, Greek income tax statements, or utility bills in your name proving consumption of energy and water.

I have a 5 year biometric residence permit. What additional documentation should I provide to renew it?

You will also need to provide evidence that you have acquired the right of permanent residence, namely that you have legally and continuously resided in Greece for the first 5 years of your residence.

You can prove your **continuity** of residence by providing a combination of the following:

- Greek income tax statements,
- Rental agreements duly registered with the tax authorities and/or utility bills in your name proving consumption of energy and water for the necessary period of time, namely 6 months per 12 month period for a total period of 5 years, or
- Boarding passes from your trips to and from Greece

You can prove the **legality** of your residence by providing the following documents depending on your circumstances:

- bank account statements showing a level of funds sufficient to support yourself and proof of your comprehensive health insurance, if you are a self-sufficient individual or
- proof from the Greek tax authorities that you were a worker or a self-employed individual or
- proof of enrolment to a Greek university and proof of sufficient funds and comprehensive health cover or

- proof of your family relationship, if you are a family member of a UK national.

Can I renew my 5 year biometric residence permit for another 5 year biometric residence permit?

You cannot reapply for another 5 year permit. If you do not meet the requirements under the Withdrawal Agreement of living legally and continuously in Greece (as explained above) during the first 5 years of your residence, **you will lose your right to reside in Greece and will be subject to domestic immigration rules for third country nationals.** UK nationals whose 5 year permits are expiring and who fulfil the condition of continuous and legal residence shall acquire the right of permanent residence and are eligible for a 10 year biometric residence permit.

What will happen if I don't renew my biometric residence permit?

Greece has opted for the declaratory scheme, and therefore the holding of the residence permit is not a pre-condition of legal residence in the country. In other words, your right to reside in Greece depends on the facts of your situation and not on the holding of a particular permit. However, the Greek authorities strongly encourage all UK nationals to do so in order to avoid burdening themselves with administrative procedures. The expiry of the residence permit or non-submission of an application for renewal will not affect your residence rights under the Withdrawal Agreement or your right to renew your biometric residence permit later, **so long as you continue to fulfil the conditions applicable in your case** set out above. Obviously holding the biometric residence permit is the simplest way to show prove your residence rights. For this reason, we recommend that you renew your biometric residence permit before its expiration.

If you or your family members are having difficulties securing your residence in Greece, please contact the AIRE Centre at eurobrits@airecentre.org