



Home Office

Kevin Foster MP  
Minister for Future Borders and  
Immigration

2 Marsham Street  
London SW1P 4DF  
[www.gov.uk/home-office](http://www.gov.uk/home-office)

Catherine West MP  
House of Commons  
London  
SW1A 0AA

DECS Reference: MIN/0126286/20  
Your Reference: ZA9776

12 January 2021

Dear Catherine,

Thank you for your letter of 22 December to the Home Secretary regarding EEA nationals who entered the UK to study prior to the end of the transition period. I am replying as the Minister for Future Borders and Immigration.

EEA students who were studying in the UK and have returned home during the pandemic and who are continuing with their course online in their home country (when they would otherwise be studying in the UK) are able to apply to the EU Settlement Scheme (EUSS) from outside the UK, so long as they are able to prove they are still continuously resident in the UK. This means they must not have been absent from the UK for more than six months in any 12 month period, except for a single absence of no more than 12 months for an important reason, for example due to studying outside the UK because of COVID-19, or because they are suffering from the disease and they are either too ill to travel or required to quarantine (self-isolate) for public health reasons.

EUSS applications from abroad can be made using the online application system. Guidance for EUSS applicants on the impact of COVID-19 is available at:

<https://www.gov.uk/guidance/coronavirus-covid-19-eu-settlement-scheme-guidance-for-applicants>.

Students who commenced studies within the UK and had a presence in the UK before the pandemic are not required to apply under the Student route, provided they do not exceed the period of absence permitted to maintain the rights they originally held under Freedom of Movement.

EEA Students who have not established a presence within the UK prior to 31 December 2020, must apply under the Student or Child Student routes to study within the UK.

Yours sincerely,

**Kevin Foster MP**  
**Minister for Future Borders and Immigration**