



Fixing the Comprehensive Sickness Insurance (CSI) legacy

CSI stops me from becoming a British citizen

"Four years ago I applied for a Permanent Residence document to secure my rights, but was rejected because it turned out I didn't have CSI - a health insurance policy which I had never been told about before, and which I was never asked for when using the NHS.

So I was immensely relieved and grateful when the Prime Minister announced that CSI was not to be a requirement for applying to the EU Settlement Scheme, and I got settled status.

But now I find out that I might be rejected for British citizenship - just because I did not have CSI while I was a student eight years ago! I cannot risk the £1,330 fee because the case worker might not use their discretion to overlook this."

A from Finland

Came to UK to study, now married to a British citizen and has a British daughter

I've lost my right to care for my mother in the UK because of CSI

"Years ago, I met and married a British citizen in Spain. Once we started a family, we moved to the UK, and I decided to pause my career to look after the children. I helped out at their school, and volunteered for a charity, but I was never paid.

In 2019 I applied for settled status, and last year I decided to apply for British citizenship. I found out that I should have had CSI, something I had never heard of, but luckily for me, the Home Office used their discretion to overlook this, and I was granted citizenship.

However, I am now distraught. We support my widowed mother in Spain, and she is not managing anymore so I would like to move her in with us. I was promised that the Withdrawal Agreement would guarantee this family reunion right for me. Unbelievably though, it turns out that I had that right with settled status, but the intricacies of the immigration rules means I lost the right to look after my mum by becoming British - all because of that CSI. No-one warned me that becoming British would result in my not being able to support my mother in her final years."

B from Spain

Lives in UK with British husband and children

CSI stopped my children from being born British

"My wife and I are both from Greece, but we met while studying at a British university. We really loved our British experience so after our degree we both got jobs and decided to settle in the UK. After we had lived here for over six years, we had a baby boy. We got both British and Greek passports for him. Last year, we were renewing both his passports. To our horror, we were told that, because we had not had CSI while students, our son was not British, and the passport given to him at birth was a mistake! We had never heard of CSI before, and never needed it, and now, if we want him to be British, we have to pay over £1,000. Surely this can't be right?"

C from Greece

Lived in UK with Greek wife and son whose British citizenship has been overturned

Nationality and Borders Bill

Ending anomalies in British Nationality Law

What is Comprehensive Sickness Insurance?

EU Free Movement law states that people can move to other EU member states to live, work, and study, but if they are studying or self-sufficient, they need 'Comprehensive Sickness Insurance' so as not to be a burden on a country's healthcare system. Most EU member states have insurance-based healthcare systems, requiring both nationals of that state and immigrants to hold insurance policies to access healthcare. However, the UK's NHS is funded from general taxation (including VAT paid by everyone) and as such EU citizens living in the UK have been able to use the NHS on an equal footing with British citizens without the need for insurance.

Despite this, and the significant contributions made by many, the Home Office requires EU citizens to hold CSI to live in the UK in accordance with EU laws.

How does CSI affect people?

Thankfully the CSI requirement was removed for the purposes of the EU Settlement Scheme, however it has been retained in various EU laws carried over following the UK's departure from the EU. There are Regulations (such as the EEA Regulations 2016) which are now obsolete, but have been saved for specific reasons where other parts of legislation still refer to them.

Therefore, the requirement still comes up when assessing someone's past lawful residence in UK, for example when:

- applying to naturalise as a British citizen;
- determining whether a baby born in the UK, to parents who have settled in the UK having lived here for five years, is British;
- applying for EU Settlement Scheme status as a dependent family member of an EU citizen who is also British.

Becoming a naturalised citizen is an ambition for many EU citizens who call the UK their home and see themselves as British in all but paperwork. Equally, having your children born in the UK recognised as British is essential to those who believed they were playing by the rules. Having this possibility challenged due to an obscure and now obsolete requirement is distressing to EU citizens who contribute so much to the UK.

How does this amendment address these historical issues?

To fix these issues, the amendment makes simple changes to the British Nationality Act 1981 and the European Union (Withdrawal Agreement) Act 2020 such that:

- for the purpose of naturalising as a British citizen, those who have settled via the EU Settlement Scheme will not be refused simply for not having previously held CSI;
- children who would have been born British but for their parents having needed CSI, have the right to register for British citizenship if their parents had access to the NHS in practice at the time;
- for any future immigration decision, any historical requirement to hold CSI is satisfied by having had access to the NHS in practice at the time.



the3million is a non-partisan grassroots organisation of EU citizens in the UK, formed after the 2016 EU referendum to protect the rights of people who have made the UK their home. For more detailed facts, references and briefings, contact us at ye@the3million.org.uk or see our website www.the3million.org.uk