

COURT OF SESSION AND SHERIFF COURT PRACTICE NOTE

No. 2 of 2024

**CLAIMS RELATING TO EU AND EEA EFTA CITIZENS' RIGHTS UNDER PART 2 OF
THE WITHDRAWAL AGREEMENT AND PART 2 OF THE EEA EFTA SEPARATION
AGREEMENT**

1. This practice note has effect from 1st December 2024.

Citizens' rights

2. The international treaties governing the United Kingdom's withdrawal from the European Union (the Withdrawal Agreement and the EEA EFTA Separation Agreement) provide for certain citizens' rights including—

- (a) residency rights;
- (b) the right to work and to be self-employed;
- (c) recognition of certain professional qualifications;
- (d) the right to co-ordination of social security; and
- (e) rights of non-discrimination on the grounds of nationality and equal treatment.

Notification of proceedings

3. When a party initiates or defends proceedings which raise an issue relating to citizens' rights under the withdrawal agreements, the party should intimate a copy of the summons or initial writ (or petition, defences, or answers) to the Independent Monitoring Authority.

4. Notification should be either –

- (a) by email; or
- (b) in hard copy, to—

The Independent Monitoring Authority for the Citizens' Rights Agreements
3rd Floor, Civic Centre
Oystermouth Road
Swansea SA1 3SN

IMA@ima-citizensrights.org.uk

CJM Sutherland
Lord President

Edinburgh

4 November 2024