

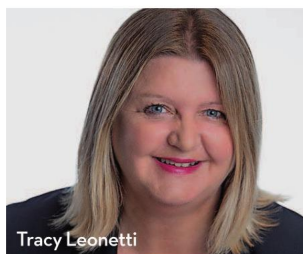
Q&A Ask the experts

Need advice? Put your problems to our panel

HOW DO WE PROVE WE LIVE IN THE UK?

After 16 happy years owning a holiday home in France we've decided to sell. Our *notaire* says we won't be liable for the 'social charges' element of French capital gains tax if we can prove we're UK residents (we are) and that we fall under the UK benefits / NHS system (we do).

This is fine except we don't know what documentation to supply to prove this. The *notaire* suggested EU forms A1 and S1 but neither of these apply to us. HMRC have provided a letter to say we are UK taxpayers but neither DWP or NHS can provide anything similar. We have never worked or lived in France so we don't meet the criteria to complete any of the standard forms provided by the DWP/NHS/HMRC. There doesn't seem to be a single official document which provides evidence that we fall into the UK benefits or healthcare systems. The property we are selling has always just been a holiday



Tracy Leonetti

home. We have always lived and worked in the UK and now receive our pensions in the UK. Do you have any suggestions as to the type of documentation that would fit the bill?

Hilary Sharp

TRACY LEONETTI, of LBS paperwork specialists (lbsinfrance.com), replies:

Yes, this is a complex situation and I very much understand your frustration.

The NHS used to issue medical cards which could be used as proof of healthcare but this was stopped in 2011 to reduce costs.

I would be tempted to work this in reverse and prove to the French authorities that

you have no access to the healthcare system in France. Send a letter to your local CPAM by registered post (with *avis de reception*), stating your date of birth and address in France. Ask them for an '*Attestation d'ouvertures des droits*'. This document proves you have healthcare rights in France. They will generally send you a letter back saying that your healthcare rights are not open or that they cannot find you in the system. You can, of course, then show this to the French authorities!

To support your case, you could also supply the following:

- A letter or notification showing your UK NHS number.
 - A letter from your GP stating that you have had healthcare cover from him or her and from which dates. You would need to get this document translated.
 - A letter from your last employer showing that you worked for them and the dates of when you did.
- Bon courage Hilary!

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HOW MUCH INCOME WILL WE NEED TO MOVE TO FRANCE?

If we make it through Brexit, my husband and I would like to move to our French holiday home in our early 50s - that's in about eight years' time.

We'd sell our UK house and buy two flats in the UK to rent out, then move to France and live frugally, perhaps with freelance work or small jobs.

How much would we have to earn in order to be considered for French residency and how would we be required to

prove this? We would not have a mortgage or dependent children. We would have savings and hopefully some income from our UK rental properties.

Jon Wilson

JASON PORTER, of Blevins Franks tax and wealth management advisers (blevinsfranks.com), replies:

With the current Brexit deadlock, it is not possible to

specify what the legal residency requirements might be by the time you move to France. But, assuming current rules no longer apply, the rules laid out in the Withdrawal Agreement are the best case scenario, and the position of a third country (non-EU) national moving to France is the worst case scenario.

I would suggest, without an employment placement or a self-employed contract in place, you would have to apply

for a visa for the 'economically inactive'. The Withdrawal Agreement does foresee new residency permit rules, but as these are based upon existing EU laws and regulations, financial self-sufficiency is satisfied at existing levels. This varies according to the family situation. As a couple without dependent children, the minimum income is €826.40 per month. Once you are over 65, this rises to €1,347.88 a month. If