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# Get **ready** for Brexit



Prepare for Brexit at [gov.uk/brexit](https://gov.uk/brexit)



# Introductions

Brussels: Edward Corse and Mateus Mendonca Oliveira

# Full information is available online and elsewhere

## gov.uk/brexit



Comprehensive and up-to-date advice plus e-mail alerts

## Leaflets

### Priority areas

Importing, exporting, goods, services, data and employees

EU Leaflet on priority areas to share with your clients and suppliers

Supplementary Information guidelines provided by several policy teams from UK Government

## Live events



Search "Brexit Business Readiness Event" online for your nearest event. These are for subsidiaries of EU businesses in the UK.

Check with UK embassies in EU Member States for EU business readiness events



## EU Business Engagement Events

Paris	France	26/09/2019
Munich	Germany	09/10/2019
Brussels	Belgium (Pan-European)	10/10/2019
Amsterdam	Netherlands	11/10/2019
Warsaw	Poland	15/10/2019
Rome	Italy	16/10/2019
Milan	Italy	17/10/2019
Madrid	Spain	23/10/2019
Brussels	Belgium	28/10/2019

For more information: [Mateus.Oliveira@beis.gov.uk](mailto:Mateus.Oliveira@beis.gov.uk)

For more policy information [gov.uk/brexit-eu-traders](https://gov.uk/brexit-eu-traders)



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# Importing and exporting

Brussels: Jill Hawkins

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# UK border priorities

UK Government objectives and priorities for the border:



Maintaining security



Facilitating the flow of goods and people (including animals, food and plants)



Protection of revenue and compliance with standards

UK will maintain security and prioritise flow, ensuring new controls or processes do not interrupt flow of goods.

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# HMRC approach to no deal

## • Day one Ro-Ro locations

- Declarations to be pre-lodged electronically in advance
- Routine fiscal and other controls and checks undertaken away from the flow of traffic

## Day one easements

- Transitional Simplified Procedures
- Intermediaries' liability
- Guarantee relaxations
- Entry Summary Declarations for imports

## Long term

UK Government is working on:

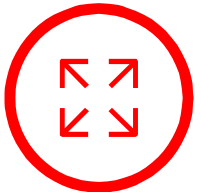
- Automated solutions
- Use of technology for smarter borders and sharing more data



# Economic Operator Registration Identification (EORI)



You'll need an EORI number that starts with GB to move goods in or out of the UK if there's no Brexit deal



If you'll be dealing with EU customs then you'll need an EU EORI number



If you are VAT Registered:

- You will be auto-enrolled for an EORI starting GB
- The EORI will include your VAT registration number





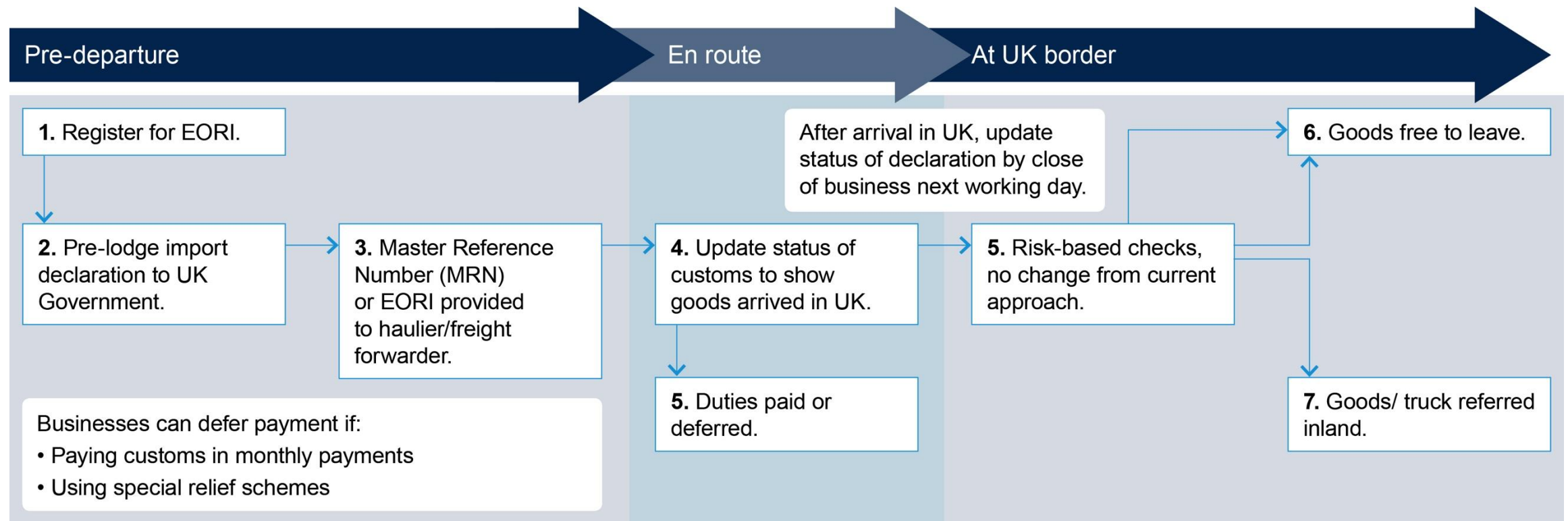
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# Importing to the UK through RoRo on day one

## Customs





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# Transitional Simplified Procedures (TSPs)

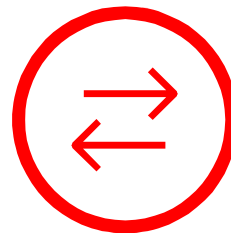
Transitional Simplified Procedures will make importing goods easier for the initial period after the UK leaves the EU

Traders registered for TSP will not need to make full customs declarations at the border and will be able to defer paying their customs duties.

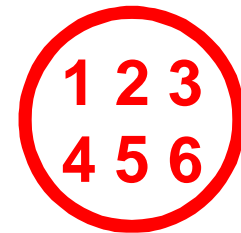
**To be eligible, traders must:**



Be established in the UK



Have the intention to import goods into the UK from the EU



Have an Economic Operator Registration Identification (EORI) number

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# TSP declaration process

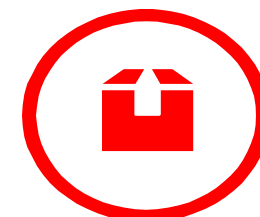
## Controlled goods the Trader:

- Submits a simplified frontier declaration
- Ensures all necessary certificates and licences are available.
- Submit a supplementary declaration by the fourth working day of the month



## Standard goods the Trader:

- Makes a declaration directly in their commercial records prior to goods arriving at the UK Border.
- Updates records with date and approx. time goods arrive in UK
- Submits a supplementary declaration by the fourth working day of the following month
- **HMRC will allow up to 6 months before you need to start making supplementary declarations from 1/11/2019**





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# Duty deferment

## Required if you have Customs or Excise Duty to pay

In practice, this is a direct debit mandate



It allows HMRC to take a monthly payment of duties 15 days after supplementary declaration is made



Guarantees are required in order to defer duty to make monthly payments



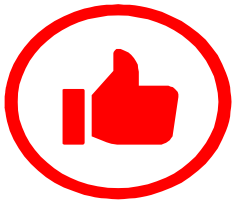
### Day 1 easements

Traders will not be required to meet the Customs Comprehensive Guarantee (CCG) criteria when obtaining guarantees.

Traders can still apply for a CCG, as those with Authorised Economic Operator C status can seek a reduction in the level of guarantee



## Entry summary declarations (Safety & Security)



Entry Summary Declarations (ENS) will not be required for the first 12 month period for goods arriving in the UK from any countries where they are not currently needed

Gives carriers and hauliers more time to prepare for their obligations

ENS is expected for goods being exported from the UK to the EU (See Europa Website for EU Country details)

S&S information required on export will continue to be provided as part of the export customs declaration





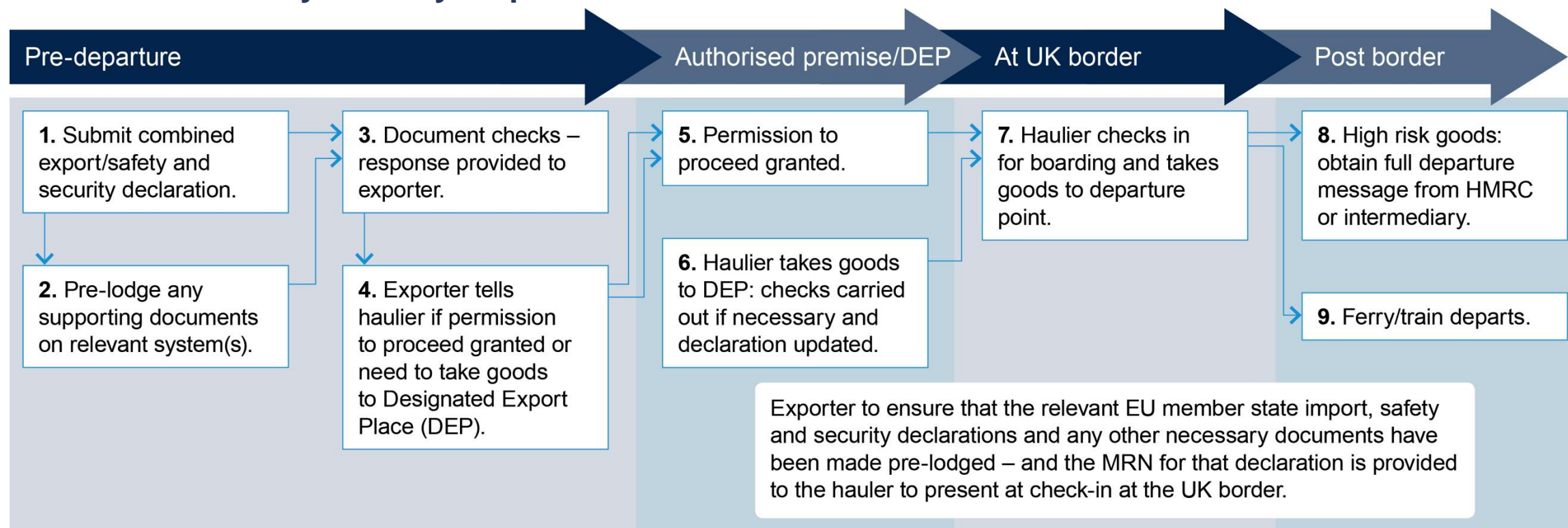
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# Exporting from the UK through RoRo borders on day one

## Customs and safety/security: exports





# How does the Common Transit Convention (CTC) work?



The **CTC** allows movement of goods - under duty suspension



**UK** has been invited to accede to CTC



The requirements to use CTC will remain unchanged



**Traders will need to have a Transit Accompanying Document (TAD) scanned** at the point of entry into the UK or other new customs territory



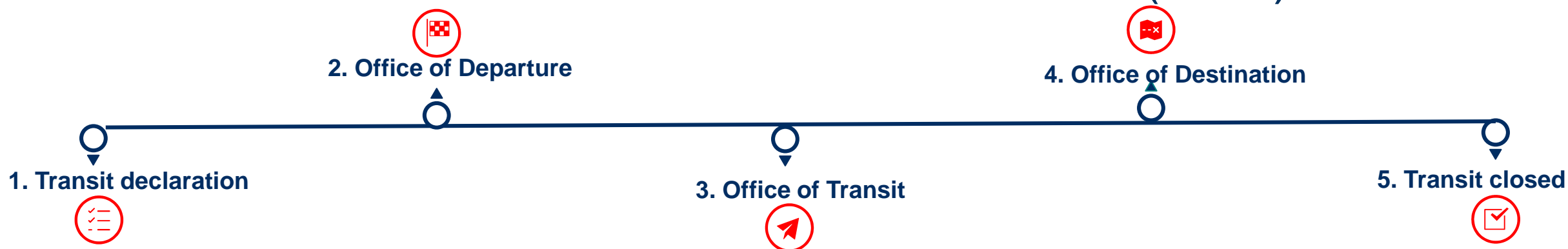
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# Transit and the Common Transit Convention (CTC)



1. The transit declaration is completed (including guarantee) using NCTS (the New Customs Transit System)
2. The goods are presented at the Office of Departure (or Authorised Consignor) and the Transit Accompanying Document (TAD) is printed off presented to the haulier and then the goods are released into transit.
3. At every border crossing into a new customs territory, the TAD and goods are presented at the Office of Transit (OoT functions can only be performed by Customs Officials).
4. At the final destination the goods and TAD are presented at the Office of Destination (or Authorised Consignee).
5. The transit movement is closed, the goods must be declared to another customs regime eg free circulation, temporary storage and the guarantee is released.

**The goods are tracked and messages are sent from the various offices using NCTS during the journey.**

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# Transit guarantees

To make transit movements a trader needs to provide a guarantee for the customs duties suspended during the movement

To hold a CCG, a business needs to:



Satisfy HMRC's customs/compliance checks



Obtain a guarantee from an approved financial institution

An individual guarantee can include a guarantor undertaking from a bank or financial institution and a cash deposit.

The guarantee requirements are set by the Common Transit Convention.



# Simplified transit procedures

Under the CTC, traders can apply for authorisation to use simplified transit procedures.

The main types of authorisation are:



**Authorised Consignor Status** allows traders to declare goods to transit at their premises rather than an Office of Departure. Traders applying for this need to have a CCG.



**Authorised Consignee Status** allows traders to end transit movements at their premises rather than an Office of Destination. Traders applying for this generally need a temporary storage facility.

**HMRC is working to enable traders to be authorised as quickly as possible**



# Key actions for businesses

Businesses who trade with the UK need to act now to ensure that they are prepared in the event of a no deal EU exit.



Make sure you have for an EORI number (UK and EU) and registering for TSP if you are established in the UK.



Confirm you can complete each data field in the declaration.



Agree responsibilities with your customs agent and logistics provider for each part of the process and update your contracts to reflect this.



Identify software for submitting documents, if you do not use a customs agent.





# Manufactured goods regulation

Brussels: Kenton Whitehall

# Check which regulations apply to your product

**‘Old Approach’:** goods such as cars, medicines, chemicals and aerospace, with standalone models of regulation

**‘New Approach’:** a common toolkit of regulatory measures covering goods, such as toys and machinery

**‘Non-harmonised goods’:** subject to national rather than EU-wide product rules

Examples: toys, electronics, machinery, pressure equipment, personal protective equipment, construction products, medical devices, domestic appliances, lifts, pyrotechnic articles and recreational craft



# Existing regulation of 'New Approach' goods

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High-level requirements in legislation and use of harmonised standards to achieve compliance.



Conformity with requirements of 'New Approach' legislation shown by use of the CE marking.



In most cases manufacturers take sole legal responsibility for compliance and can self-declare.



In other cases manufacturers need to use a third party assessment body (a 'notified body').

# Selling goods into the UK

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New approach goods meeting EU regulations and CE marked can still be sold in UK for time-limited period.



UK will directly recognise conformity assessment carried out by EU notified bodies.



A new UK database will replace the EU's NANDO database.



Products assessed against UK rules by a UK 'approved body' will need the UKCA marking.



We will consult with businesses before making any changes to these arrangements.

## Other issues to consider

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EU-based authorised representatives who received their mandate pre-exit day recognised in UK.



An UK-based distributor of EU goods may become an 'importer' – and vice-versa.



Compared to a distributor, importers have a stronger duty to ensure products are compliant.



The importer's address also often has to be put on the product or its packaging.



Different arrangements apply to medical devices.



# Arrangements for other goods

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The UK will have its own REACH regime post exit for chemicals manufactured in or exported to the UK.



EC type-approvals no longer automatically accepted for motor vehicles on the UK market – the UK Vehicle Certification Agency (VCA) will issue provisional UK type approvals.



Medicines with a 'centralised' authorisation will be given a UK authorisation.



In various areas (cosmetics, chemicals, medicines) - companies may need to appoint new UK representatives.



Exact arrangements will depend on specific goods – lots of guidance available on GOV.UK.

# Non-harmonised goods

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Products subject to national rather than EU-wide rules can sometimes be sold freely across the EU by virtue of the 'mutual recognition principle'.



UK will no longer be within scope of the mutual recognition principle after Exit.



April 2020: updated 'Mutual Recognition Regulation' will come into force in the EU but will not apply to UK.



If you export these goods to the UK you must check they meet UK national requirements.

## Available guidance

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Please visit **gov.uk/Brexit** for the latest information:

[Placing manufactured goods on the UK market after Brexit](#)

[www.gov.uk/guidance/placing-manufactured-goods-on-the-uk-market-if-theres-no-brexit-deal](https://www.gov.uk/guidance/placing-manufactured-goods-on-the-uk-market-if-theres-no-brexit-deal)

If you are unsure what guidance is relevant to you or if you have general queries relating to the regulation of manufactured goods, email: [goodsregulation@beis.gov.uk](mailto:goodsregulation@beis.gov.uk)



## Other contacts

Sector	Contact(s)
New Approach goods	<a href="mailto:Goodsregulation@beis.gov.uk">Goodsregulation@beis.gov.uk</a>
Chemicals	General Brexit enquires: <a href="mailto:EU-exitchemicals@hse.gov.uk">EU-exitchemicals@hse.gov.uk</a> Biocides: <a href="mailto:biocidesenquiries@hse.gov.uk">biocidesenquiries@hse.gov.uk</a> CLP: <a href="mailto:ukreachca@hse.gov.uk">ukreachca@hse.gov.uk</a> PIC: <a href="mailto:ukdna@hse.gov.uk">ukdna@hse.gov.uk</a>
Automotive	VCA: <a href="mailto:UKTA@vca.gov.uk">UKTA@vca.gov.uk</a> DfT: <a href="mailto:IVS.ENQUIRIES@dft.gov.uk">IVS.ENQUIRIES@dft.gov.uk</a>
Medical devices	<a href="mailto:devices.regulatory@mhra.gov.uk">devices.regulatory@mhra.gov.uk</a>



# Checklist of actions for new approach goods

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- ☐ Check whether you need to change your conformity assessment body and/or the conformity marking on your goods.
- ☐ Check whether you need to appoint a new Authorised Representative or equivalent in the UK.
- ☐ Determine if you or your distributor will become an importer and understand your new legal duties.
- ☐ Update your product's labelling and declaration of conformity based on the above actions.



# Automotive: checklist of actions for selling into the UK

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Motor vehicles to be placed on the UK market will need to convert their existing EC type-approvals to UK type-approval by applying to VCA for a provisional UK type-approval.



New vehicle approvals will require VCA-issued UK type-approval after exit day (subject to new legislation which will come into force in Autumn 2019).



For manufacturers with valid EC type-approval post exit: duplicate testing is not required, but manufacturers will need to supply documentary evidence to prove compliance.



Read the detailed guidance on [gov.uk](https://gov.uk).





## UK REACH:

- ☐ Those with 'grandfathered' UK held EU REACH registrations would need to open an account on the new UK REACH IT system and provide some basic information in the first 120 days after Exit.
- ☐ If their EU/EEA supplier does not appoint a UK Only Representative, UK downstream users will need to notify their continued use of substances covered by an EU held registration within 180 days.
- ☐ Both of these groups are then able within 2 years to provide the full technical information appropriate to their tonnage band to ensure continued use after that time.

**Note** – For continued EU market access, any EU REACH registrations held by a UK entity will need to be transferred to an EU entity.





# Services

Brussels: Anna Nsubuga and Tom Nickalls





# Trade in services if the UK leaves the EU without a deal

## What would change

Today, the UK and EU trade +£120B of services partly based on

- our membership of the Single Market
- mutual recognition of qualifications
- visa-free business travel

If the UK leaves without a deal, businesses will face new barriers to trade in services and investment, and will need to take steps to mitigate them

The UK will maintain liberal market access and business travel, but will insist professional qualifications are equivalent

In the EU, market access and recognition of qualifications is expected to be more difficult, and will vary between Member States for the UK

## What this would mean for you

If you export services to the UK

- Check what, if any, new barriers you may face
- Check if your professional qualifications will be recognised as equivalent
- Check if you will need to take steps to continue to send data to the UK

If you import services from the UK

- Check if your provider will face any additional barriers to serving you
- Check if your provider will remain qualified in your local market



Prepare for Brexit at [gov.uk/brexit](https://gov.uk/brexit)

## We will cover three topics



### **Market access**

Liberal access to the UK but  
varying access across EU



### **Recognition of qualifications**

Reciprocal recognition ends



### **Business travel**

No visas expected for  
some short-term visits

Please visit [gov.uk/brexit](https://gov.uk/brexit) for full information

 Prepare for Brexit at [gov.uk/brexit](https://gov.uk/brexit)

## UK services market will remain accessible but the EU's will vary

Businesses and professionals providing cross-border services in the UK or the EU will no longer be covered by the EU Services Directive. UK businesses providing services through a branch or subsidiary will no longer benefit from treaty rights on freedom of establishment and will be regarded as originating from a 'third country'.

### EU → UK

EEA businesses can expect minimal additional barriers to access the UK market:

- The UK does not apply any nationality restrictions to owners or managers of UK companies
- Companies that operate in the UK are currently subject to the overseas company regime
- Businesses already established in the UK will face minor changes in the administrative regime
- Those looking to invest in the UK are not expected to face new barriers

### UK → EU

Member States may impose additional legal, regulatory and administrative barriers, which will vary by sector and country and may include:

- Additional requirements for those providing services remotely
- Nationality or residency requirements for individuals who own, manage or direct a company or other asset
- Limits on the total amount of equity that non-EU or non-EEA nationals may hold
- Requirements to hold an EU-recognised qualification to supply a service or direct a company

Check the detailed guidance [Providing services including those of a qualified professional after Brexit](#) and your local regulators for restrictions on UK services

Prepare for Brexit at [gov.uk/brexit](https://gov.uk/brexit)



## Mutual recognition of professional qualifications will stop

If the UK leaves the EU without a deal, there will be no system of mutual recognition of professional qualifications between the EU and the UK.

- EU → UK** UK will introduce a new system for the recognition of EEA and Swiss professional qualifications
- Recognition decisions made before Brexit will not be affected
  - Applications in progress before Brexit will follow pre-Brexit rules as far as possible
  - UK regulators will be required to recognise EU, EEA and Swiss qualifications which are of an equivalent standard to UK qualifications
- UK → EU** Professionals with UK qualifications will no longer be able to rely on EU law to guarantee a route to recognition and should check the policies of specific Member States
- This may affect you, your employees or your service providers
  - Recognition decisions made on UK qualifications before Brexit are not affected

Check the detailed guidance [Providing services including those of a qualified professional after Brexit](#) and your regulators for restrictions on UK services

## No changes expected for short-term travel to UK but check rules in EU

Short-term travel to the UK will remain largely unchanged until a new immigration system is in place from 2021. Rules will vary in each Member State.

- EU → UK**
- In the short-term, EU citizens arriving after 31 October 2019 will still be able to come to the UK as they do now, and border crossing arrangements will not change
- UK → EU**
- UK citizens should ensure their passport is less than 10 years old and has at least 6 months validity on the day of travel
  - The EU will allow UK citizens to travel to the EU for 90 days in any 180 days for business meetings, training, sports and cultural events, and short-term study
  - If you are undertaking activity outside of these areas or intend to stay for more than 90 days in any 180-day period, you should check in the country you are travelling to whether you will need a visa, work permit or other documentation

Use the signposting information on [gov.uk](https://www.gov.uk) and check with your local immigration authorities for more information on UK to EU business travel



# Transfer of personal data

Brussels: Charlotte Luks

## Data flows

- The ability to collect, share and process data is **crucial for the economy and public sector organisations**
- Cross-border data flows are the basis of today's digitised economies; they are important to **individuals and businesses** of all sizes and sectors
- In the last 10 years, global flows in goods, Foreign Direct Investment and data have raised world GDP by more than 10%; data flows account for a larger share of this growth than trade in goods, **contributing \$2.8 trillion to the world economy (McKinsey 2016)<sup>1</sup>**

# Many businesses rely on the transfer of personal data

1

## Trading goods

- Addresses in delivery details
- Bank accounts in order details

2

## Trading services

- Personnel files in outsourced HR, accounts, back office functions
- Names and addresses of partners and resellers

3

## European operations

- Intra-company transfers of customer details
- Intra-company transfers of HR personnel detail

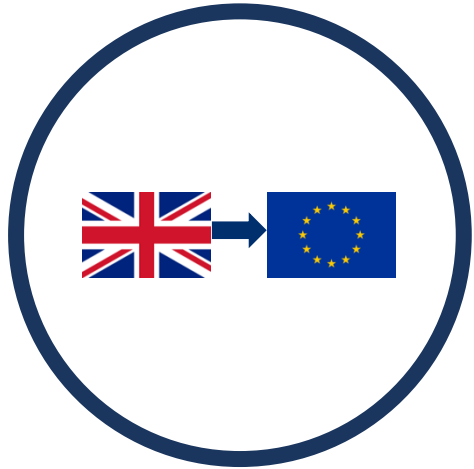


# Data transfers between the UK and EU

- Today the transfer of personal data between the UK and the rest of the EU is governed by the General Data Protection Regulation (GDPR) and the Law Enforcement Directive (LED).
- When the UK leaves the EU, we will become a third country. The EU has an established mechanism to allow the free flow of personal data to third countries, called adequacy decisions.
- It is critical that the UK's adequacy assessment process commences as soon as possible to **minimise the risk of disruption to data flows** - the UK stands ready.
- When the UK leaves the EU there will be no immediate change to the UK's data protection standards. We have already passed legislation to ensure that after Brexit the GDPR will be brought into UK law and the Information Commissioner will remain the UK's independent supervisory authority on data protection.

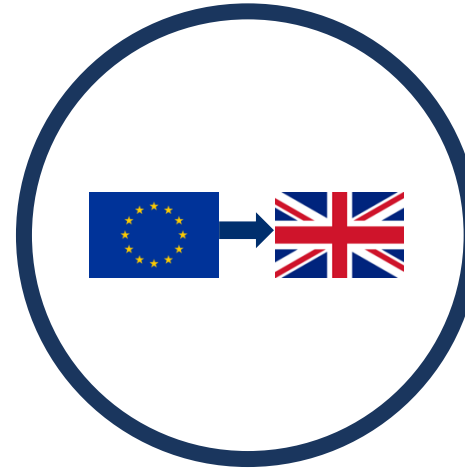
# Data transfers in No Deal

We will discuss data transfers both to and from the UK



## From the UK to the EU

The UK does not intend to impose additional requirements on transfers of personal data from the **UK to the EU**. Personal data can continue to flow freely as it does now.



## From the EU to the UK

The European Commission's current position is not to put in place a similar arrangement for EU to UK personal data transfers. Therefore EU business will need to implement alternative transfer mechanisms.

## What do you need to do to prepare?

- Find out if your organisation transfers personal data to the UK.
- If so, consult the European Data Protection Board guidance for EU organisations on data transfers under the GDPR in a No Deal.
- You can also consult guidance from the European Commission that was published in September 2019.
- The UK government and UK data protection regulator - the Information Commissioner's Office - have also issued guidance for UK organisations to plan accordingly.

## Further information is available

- **European Data Protection Board** ([https://edpb.europa.eu/our-work-tools/our-documents/drugo/information-note-data-transfers-under-gdpr-event-no-deal-brexite\\_en](https://edpb.europa.eu/our-work-tools/our-documents/drugo/information-note-data-transfers-under-gdpr-event-no-deal-brexite_en))
- **European Commission checklist and factsheet for no deal readiness -**  
[https://ec.europa.eu/info/sites/info/files/brexit-preparedness-communications-checklist\\_v3\\_en.pdf](https://ec.europa.eu/info/sites/info/files/brexit-preparedness-communications-checklist_v3_en.pdf) **and**  
[https://ec.europa.eu/info/sites/info/files/factsheet-preparing-withdrawal-brexit-preparedness-web\\_en.pdf](https://ec.europa.eu/info/sites/info/files/factsheet-preparing-withdrawal-brexit-preparedness-web_en.pdf)
- **UK's Information Commissioner's Office (ICO)** (<https://ico.org.uk/for-organisations/data-protection-and-brexit/data-protection-if-there-s-no-brexit-deal/>)
- **ICO SCC tool kit** (<https://ico.org.uk/for-organisations/data-protection-self-assessment/>)
- **UK Government** (<https://www.gov.uk/guidance/using-personal-data-after-brexit>)
- **Your Domestic Data Protection Authority**



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