

INDUSTRY DAY – PRAGUE

9 APRIL 2019

STELLA JARVIS

BORDER DELIVERY GROUP



Brexit: The Latest

Current Position (as of 5 April)

On Wednesday 3 April MPs voted by a majority of one to force Prime Minister Theresa May to ask the EU for a further extension. On 5 April she wrote to His Excellency Mr Donald Tusk to formally ask for a second extension. The PM wants to keep any delay as short as possible.

The PM and Labour Leader Jeremy Corbyn would need to agree a proposal for MPs to vote on before 10 April, when EU leaders are expected to consider any extension request at the emergency summit.



What Changes Under No Deal?

UK Government objectives and priorities for the border

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



Trader Readiness

Today is about sharing information with you, to help you prepare to move goods in and out of the UK as you do today.

Focussing on businesses who have only traded within the EU to date.

SMEs have more concerns, e.g. access to guarantees.

Border Delivery Group have set up a dedicated email address for questions about the border and Brexit preparedness:

queriesattheborder.fr@hmrc.gsi.gov.uk



SHORT STRAITS CROSSINGS (CALAIS, DUNKIRK, DOVER & EUROTUNNEL)

TRADER & INFRASTRUCTURE READINESS

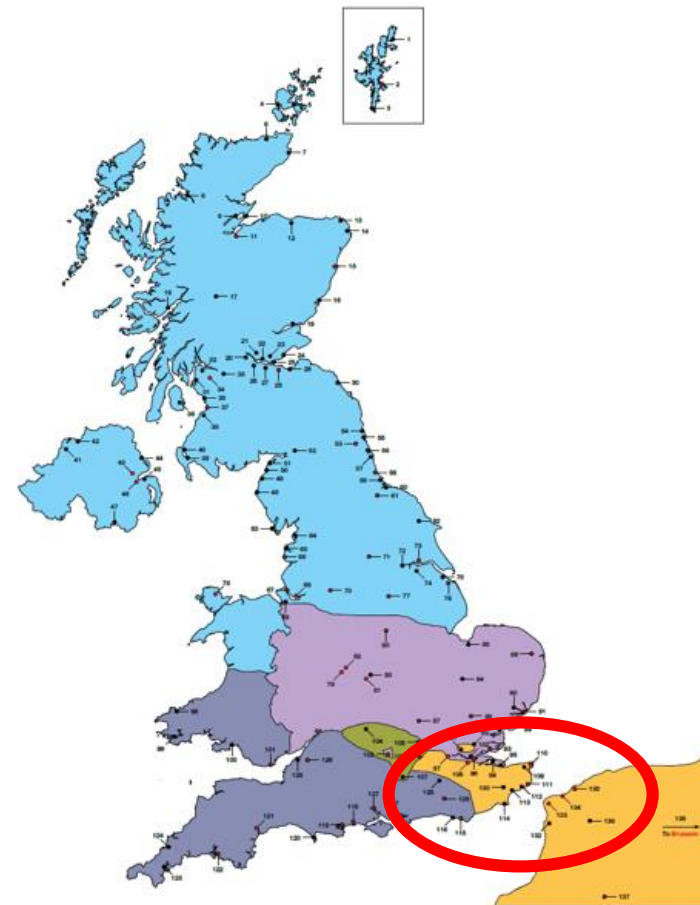
HEATHER JONES AND STELLA JARVIS

BORDER DELIVERY GROUP



Readiness of Short Straits for a Day 1 No Deal

Walkthrough of the infrastructure and planning for D1 in the Hauts-de-France region.



Port of Calais



Port of Calais: control areas, customs areas and veterinary/phytosanitary inspection areas.

FREIGHT

> EXPORT

- 1 Customs declaration area
- 2 Customs clerks office

> IMPORT

- 1 Veterinary and phytosanitary inspection service (VPIS) area
- 2 Customs documentary requirements' regularisation waiting area

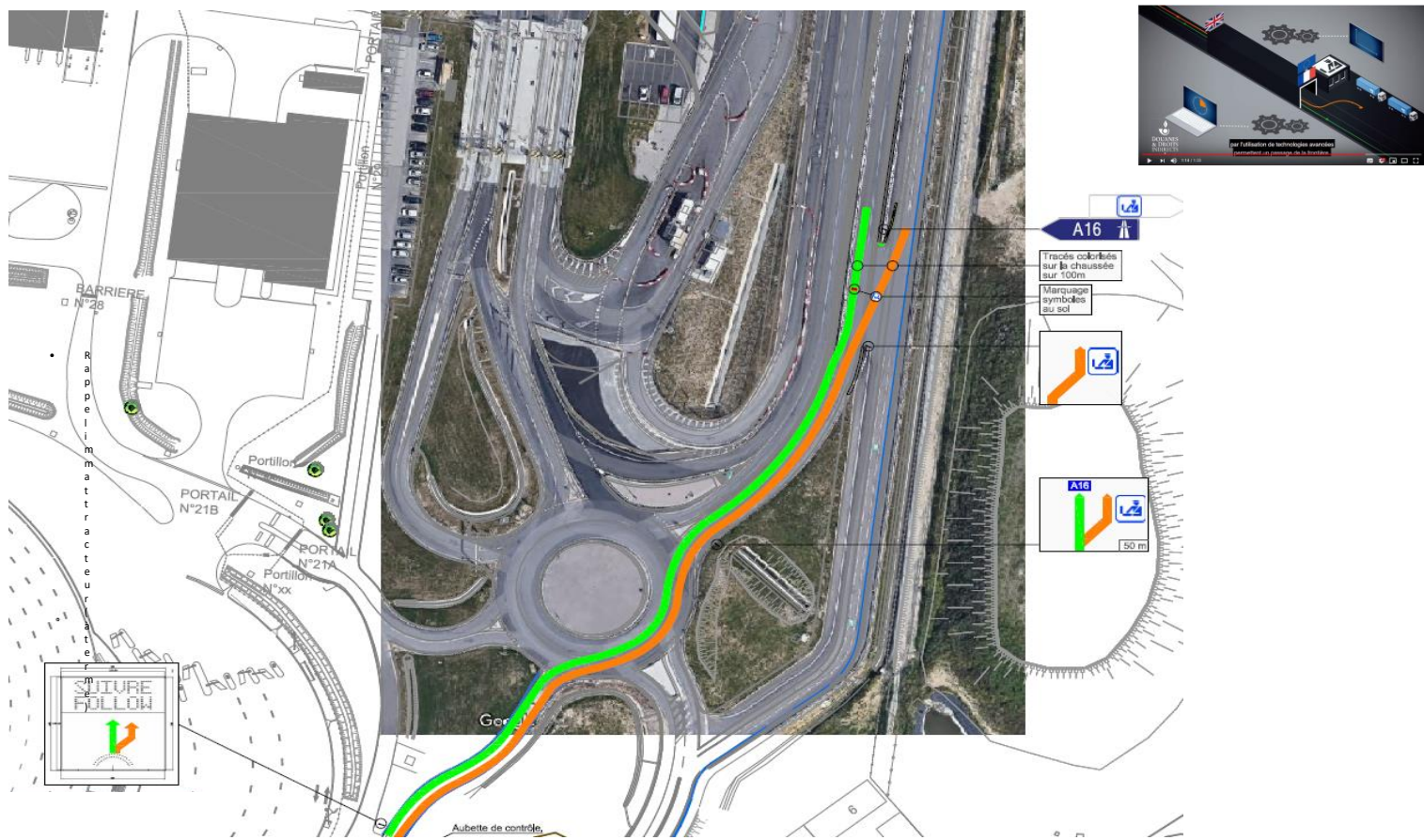
- 3 VPIS area: living animals controls
- 4 VPIS area: refrigerated trucks consignment
- 5 Customs clerks office

TOURISM

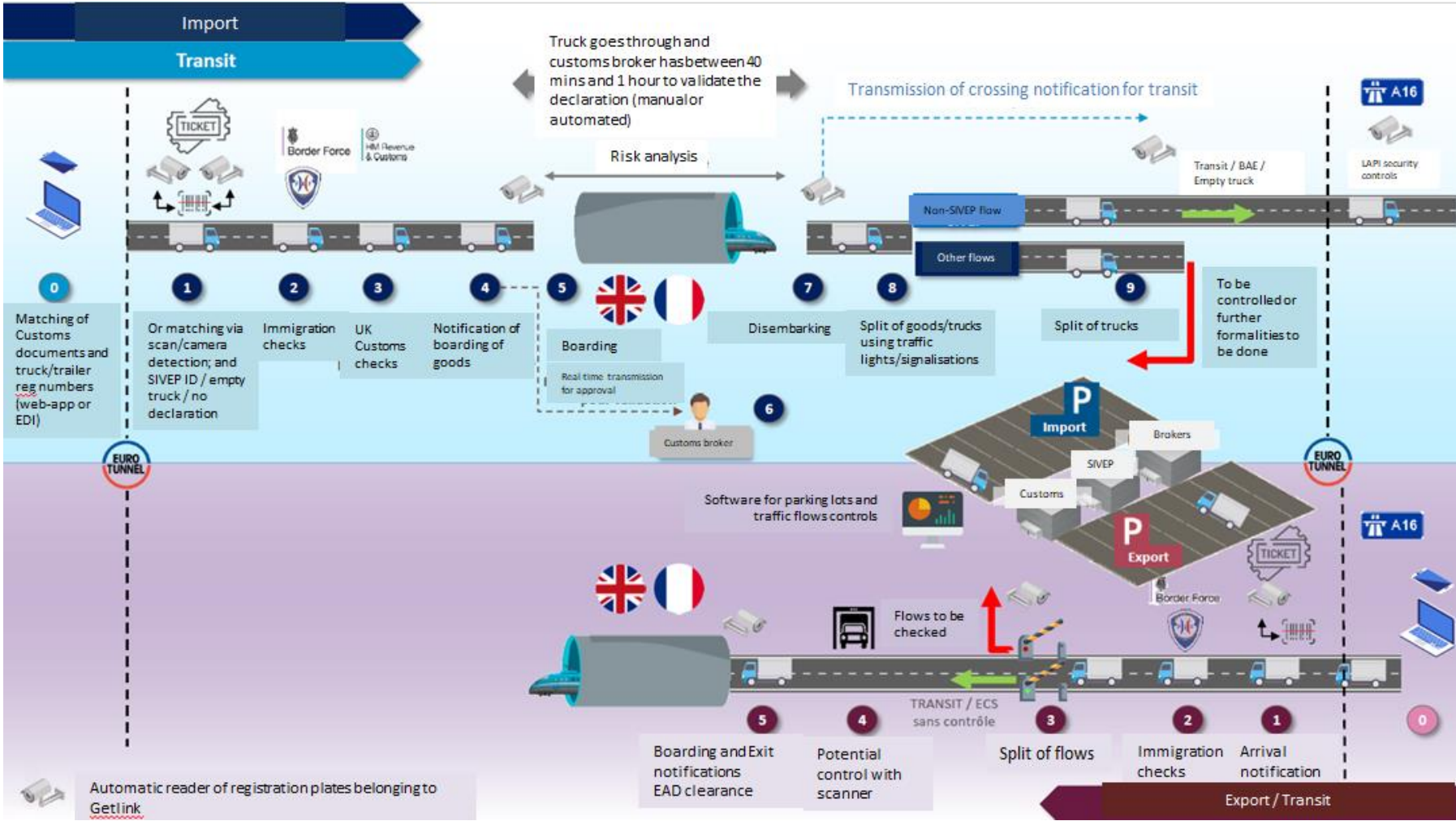
- 1 Customs declaration and VAT recovery area

Eurotunnel Freight : Smart Border

Green or Orange Lanes



Smart Border



P&O - Displayed 30 mins after sailing closure

French Customs		Exit Information	
Vehicle	Exit Direction	Vehicle	Exit Direction
CEAK671	VERT	B69XXP	ORANGE-DOUANE
CEAK672	VERT	GB7535413	ORANGE-DOUANE
CEAU950	ORANGE-SIVEP	GB7535414	ORANGE-SIVEP
CEAZ281	ORANGE-DOUANE	GB7535415	ORANGE-SIVEP
KKHM603	ORANGE-SIVEP	GB7535416	ORANGE-DOUANE
KKMN807	ORANGE-DOUANE	GB7535417	VERT
KKRV358	ORANGE-SIVEP	GB7535418	VERT
KKSE616	ORANGE-DOUANE	GB7535419	VERT
LJ20ANF	VERT	GB7535420	ORANGE-DOUANE
LJ328MU	ORANGE-SIVEP	GB7541599	VERT
BORCA12	VERT	LZY902	VERT
BORCA23	ORANGE-DOUANE	LZY904	VERT
BORCA24	VERT	LZY905	ORANGE-DOUANE
BORCA25	ORANGE-DOUANE	LZY906	VERT
BORCA27	VERT	LZY907	VERT
BORCA32	VERT	LZY908	VERT
LOTK2508	ORANGE-DOUANE	LZY909	ORANGE-SIVEP
LOTK2509	VERT	LZY912	ORANGE-SIVEP
LOTK2511	VERT	LZY913	VERT
LOTK2512	VERT	LZY914	VERT
6LJ328MU	ORANGE-DOUANE	R0904BCR	ORANGE-DOUANE
14AAC514	ORANGE-SIVEP	R0905BCR	VERT
14AAC520	ORANGE-DOUANE	R1039BCM	VERT
14AAC521	ORANGE-SIVEP	R1156BCP	VERT
14AAC523	VERT	R1157BCP	VERT
14GA105	ORANGE-DOUANE	R1160BCP	VERT
14GC765	VERT	R1161BCP	VERT
14GG327	ORANGE-DOUANE	R1162BCP	ORANGE-SIVEP
14GG328	ORANGE-SIVEP	R1163BCP	VERT
14GG329	ORANGE-DOUANE	R1217BCR	VERT
14GG330	ORANGE-SIVEP	00BFX6	VERT

Check here for updates throughout the crossing. Page 1 of 3

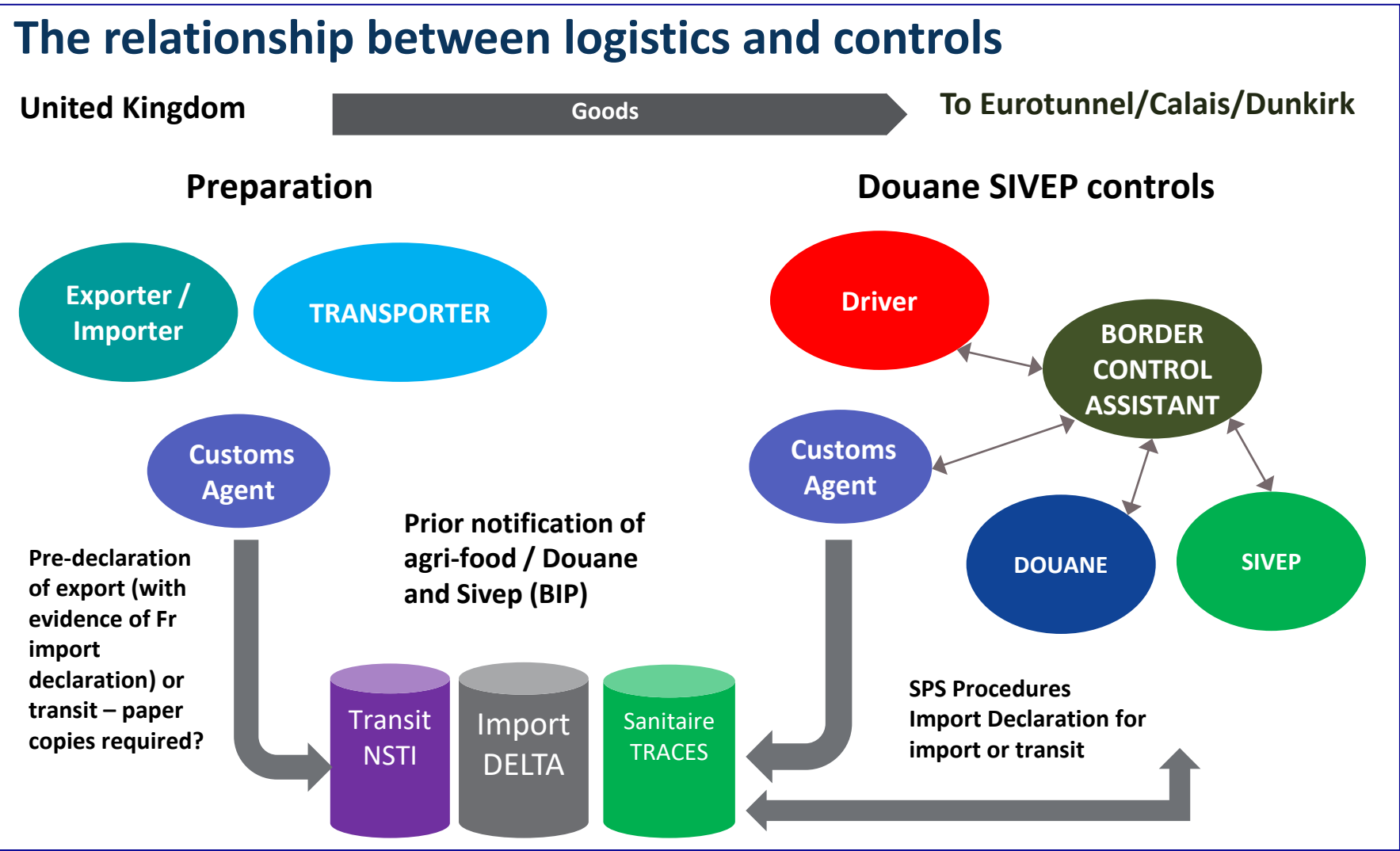
P&O - Final message during the crossing

French Customs		Exit Information	
Vehicle	Exit Direction	Vehicle	Exit Direction
6U83685	ORANGE-SIVEP	EL208XV	ORANGE-DOUANE
6U83687	ORANGE-DOUANE	EL390XV	ORANGE-DOUANE
6U83689	VERT	EL391XV	VERT
6U84286	VERT	EL392XV	VERT
6U84287	VERT	EL509FS	ORANGE-SIVEP
6U84288	ORANGE-DOUANE	EL702FS	VERT
6U84289	VERT	ER026DJ	ORANGE-DOUANE
6U84290	ORANGE-DOUANE	1BA0362	ORANGE-SIVEP
7380KPV	VERT	1BI4321	ORANGE-DOUANE
1AB7702	VERT	1BS8305	VERT
1AR6537	VERT	1BS8308	ORANGE-DOUANE
1BC2242	VERT	1BS8309	VERT
1BK0534	ORANGE-DOUANE	1BS8310	ORANGE-SIVEP
1BP8389	VERT	1BS8312	ORANGE-DOUANE
1BT2318	ORANGE-SIVEP	1BT1551	ORANGE-SIVEP
1BV5541	VERT	1BX8711	ORANGE-DOUANE
1SA6669	VERT	AB55EXC	VERT
1SB1257	ORANGE-DOUANE	AB69HHI	ORANGE-SIVEP
1SB1814	VERT	AB69HHJ	VERT
4H61830	ORANGE-DOUANE	AB70NFH	ORANGE-DOUANE
4H61840	ORANGE-SIVEP	AB70NFO	ORANGE-DOUANE
4H61850	VERT	AB70NFP	VERT
4H89240	VERT	AB87EXC	ORANGE-SIVEP
4H89241	ORANGE-DOUANE	AB89EXC	ORANGE-SIVEP
4H97340	ORANGE-SIVEP	B116PTI	ORANGE-DOUANE
4H97350	VERT	B117PTI	ORANGE-SIVEP
5E01501	VERT	B118PTI	ORANGE-DOUANE
5E18700	ORANGE-DOUANE	B119PTI	VERT
CA2526XK	ORANGE-SIVEP	B11CCL	ORANGE-SIVEP
CB1498MM	VERT	B11SEO	ORANGE-SIVEP
DN1411E	VERT	B120PTI	ORANGE-DOUANE

This is the final update for the crossing. Page 3 of 3



A Closed Loop – a role for everyone



UK are preparing to manage flow

There are a range of day 1 easements to provide time for businesses to get ready:

- Transitional simplified **customs** procedures (TSP)
- Until October 2019 – the phasing in of the requirement for **safety and security** declarations (ENS)
- **Transit** arrangements – with TAD scanning at the border
- No changes to **passport and ID** cards
- Risk based **agri-food controls**: no new controls on EU origin goods, limited changes for goods originating outside the EU transiting into the UK
- Continuation of **existing road haulage permits, licenses, cabotage**



Introduction and objectives

- ① Brexit readiness – be prepared
- ② Details on **four key processes**:
 - Customs applications & requirements
 - Safety & Security / Entry summary declaration
 - Common Transit Convention requirements
 - Food, animals, plants and other controlled goods
- ③ Walk through of **RoRo process to import and export and transit goods** to the UK in a ‘no deal’ scenario
- ④ **Sources** for further information



END TO END PROCESSES FOR FREIGHT AT THE BORDER

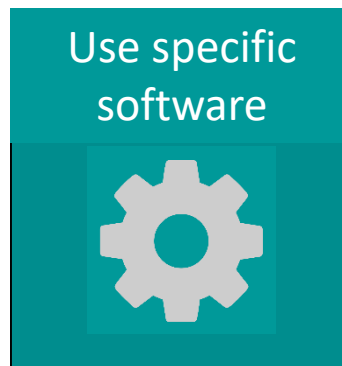
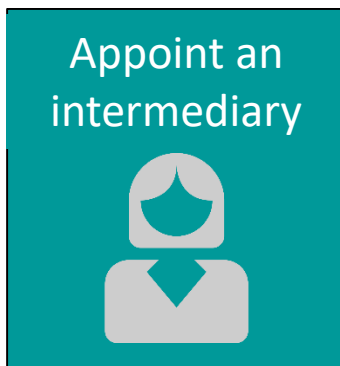
ROLL ON ROLL OFF FERRIES

MARGARET WHITBY (HMRC)



Customs Declarations

- Customs declarations will be needed on UK-EU trade in a no deal scenario
- Businesses will need to decide how they want to manage the declarations process:



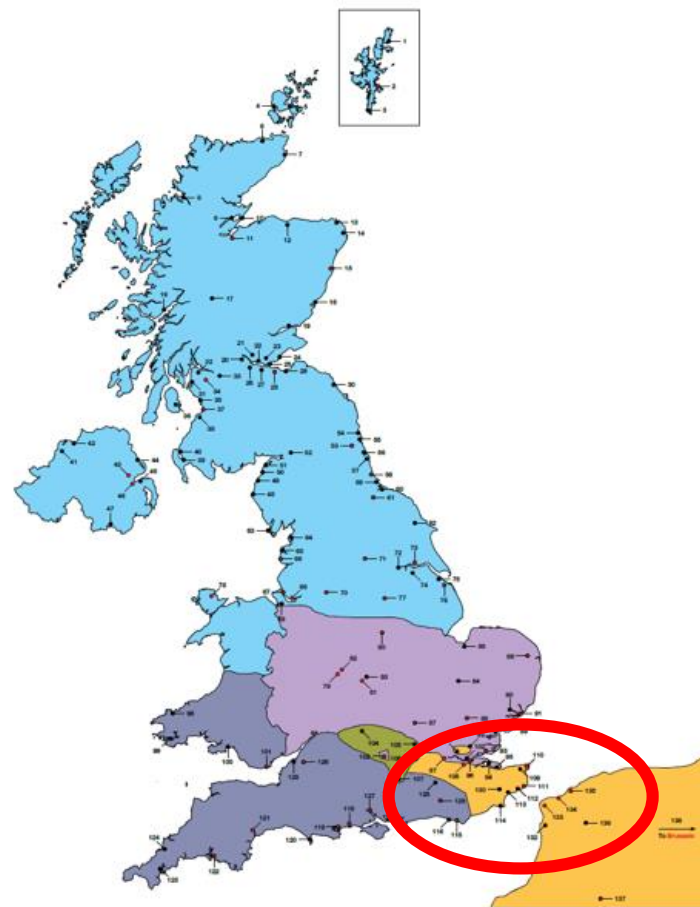
- HMRC is working to ensure that as many businesses as possible have the capability to make customs declarations on Day 1



UK Government – UK exports

Outline of processes for freight via UK Ports or the Tunnel: **UK exports**

- to EU in a lorry
- to EU in your own van
- in transit
- on a temporary basis (including ATA carnets)



Before loading goods

Customs & other procedures will change in the event of a no deal. Responsibility for ensuring the new processes are met, **are with an exporter and / or their customs agent.**

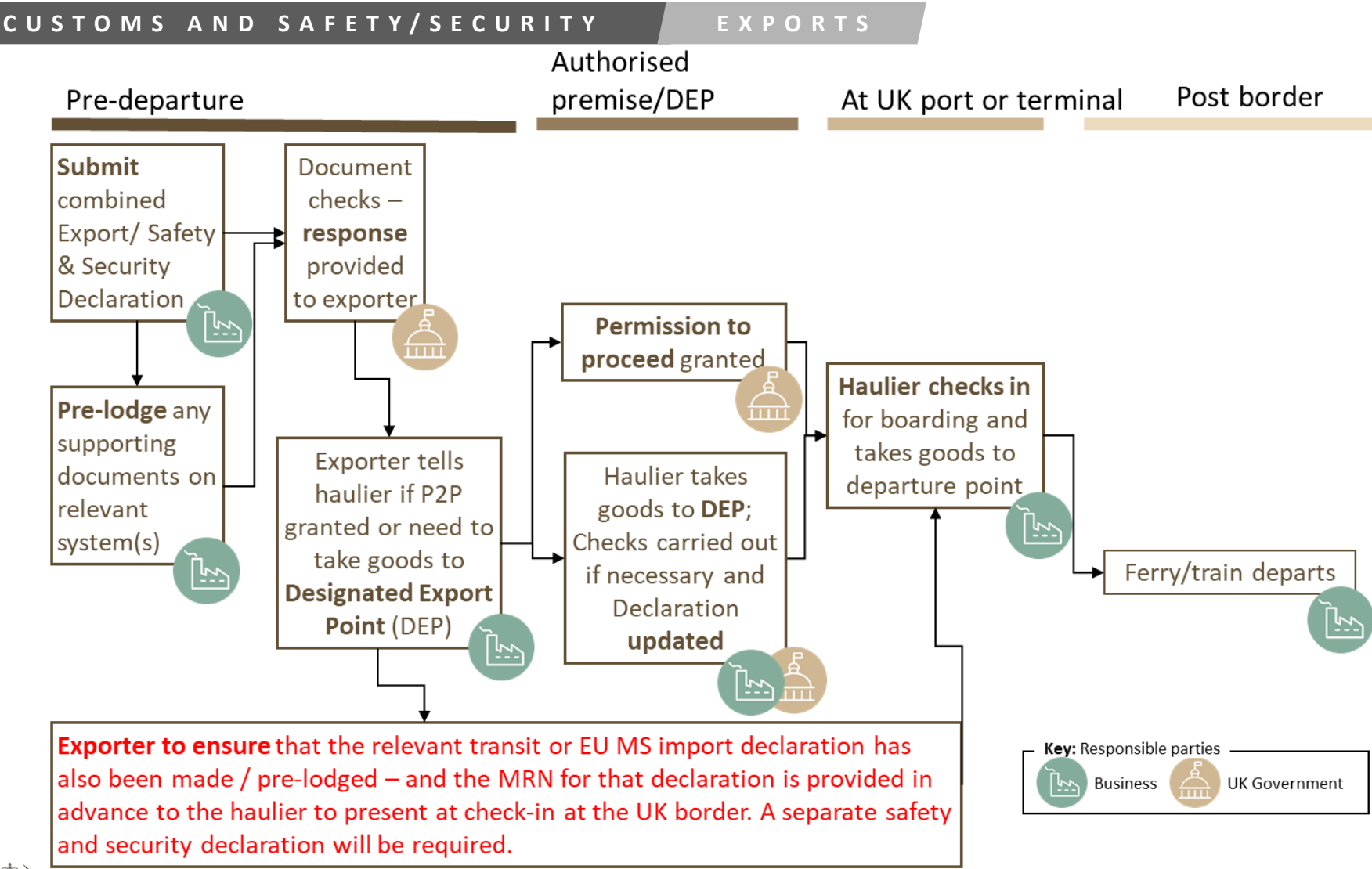
To avoid delay hauliers should ensure the correct steps have been followed and **that they are able to provide appropriate evidence at the border.**

Before loading goods:

1. Exporter: Have they submitted a UK export declaration and received permission to progress?
2. Or has a transit movement already been started in the UK? **If so, has the driver got the TAD?**
3. If goods are being exported from the UK, but imported into another Member State – has the agent / importer pre-lodged an import (& S&S) declaration? **If so, does the driver have the MRN?**
4. Are licences required? **If a licence is needed, ensure the driver has it, to be carried with the goods.**
5. If the goods are being moved either from the start under transit, or from the border, make sure the driver has one of the following:
 - Transit Accompanying Document (TAD) – a paper copy of or a digital TAD – you must have the bar code with the MRN. In some transit countries, only the paper TAD will suffice.
6. Temporary Exports - ATA Carnet documentation or TIR documentation plus an 'Approval Certificate of a Road Vehicle for the Transport of Goods under Customs Seal'.



UK Exports



Any export questions ?

Entry Summary Declarations (Safety and Security)

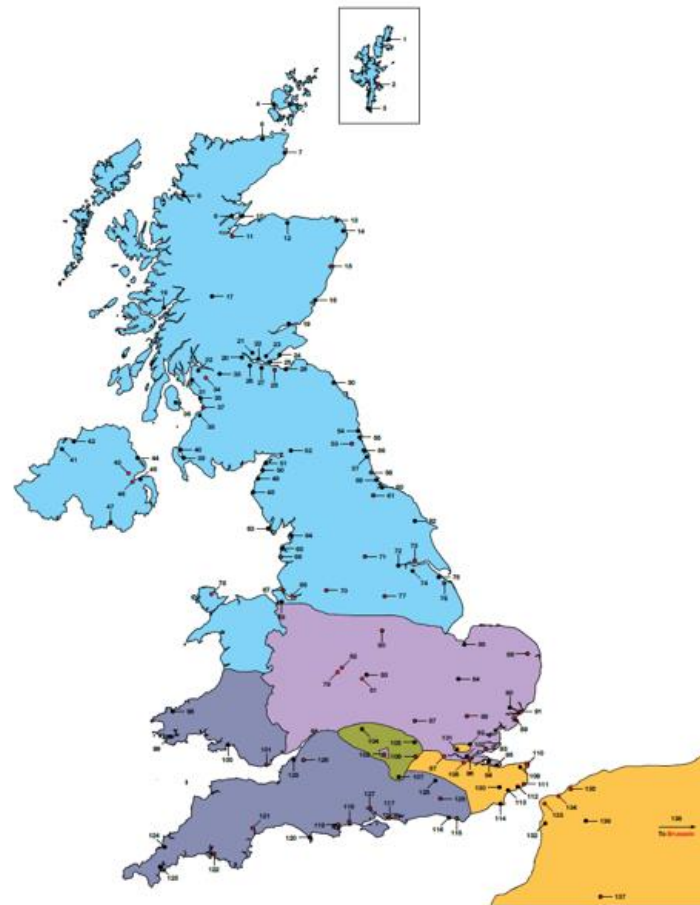
- S&S information required on export will continue to be provided as part of the export customs declaration.
- We expect that the EU will require an ENS for UK to EU imports
- In a no deal scenario, the UK will phase in the requirement for entry summary declarations (ENS) on all goods arriving from the EU over 6 months.
- We are taking this approach to give carriers and hauliers more time to prepare for their obligations.
- The legal requirement to submit an ENS for goods arriving from the EU will come into force in Autumn 2019. In the transitional period, HMRC will work with businesses to get them ready.



UK Government – UK Imports

Outline of processes for freight via UK Ports or the Tunnel: **UK Imports**

- from EU in a lorry
- from EU in your own van
- in transit
- on a temporary basis (including ATA carnets)



Preparing to bring goods into the UK

Customs & other procedures will change in the event of a no deal. Responsibility for ensuring the new processes are followed are with the trader or their customs agent.

However, to avoid delay you should ensure the correct steps have been followed and **you are able to provide additional evidence at the border.**

Additional Questions to ask before loading goods:

1. The haulier will need to carry evidence that shows a customs import or transit declaration has been made, and may be asked to produce this at the border, if stopped inbound for checks by UK Border Force.
This is either an MRN or an EORI number – the haulier should request this in advance
2. You should know what customs or other processes the goods you are carrying, are travelling under or are destined for, and can provide evidence of this, if asked, to the appropriate authorities.
3. If the exporter/importer are **not using transit**, you will be required to present an export accompanying document (EAD) to discharge the movement at the border on leaving the EU.



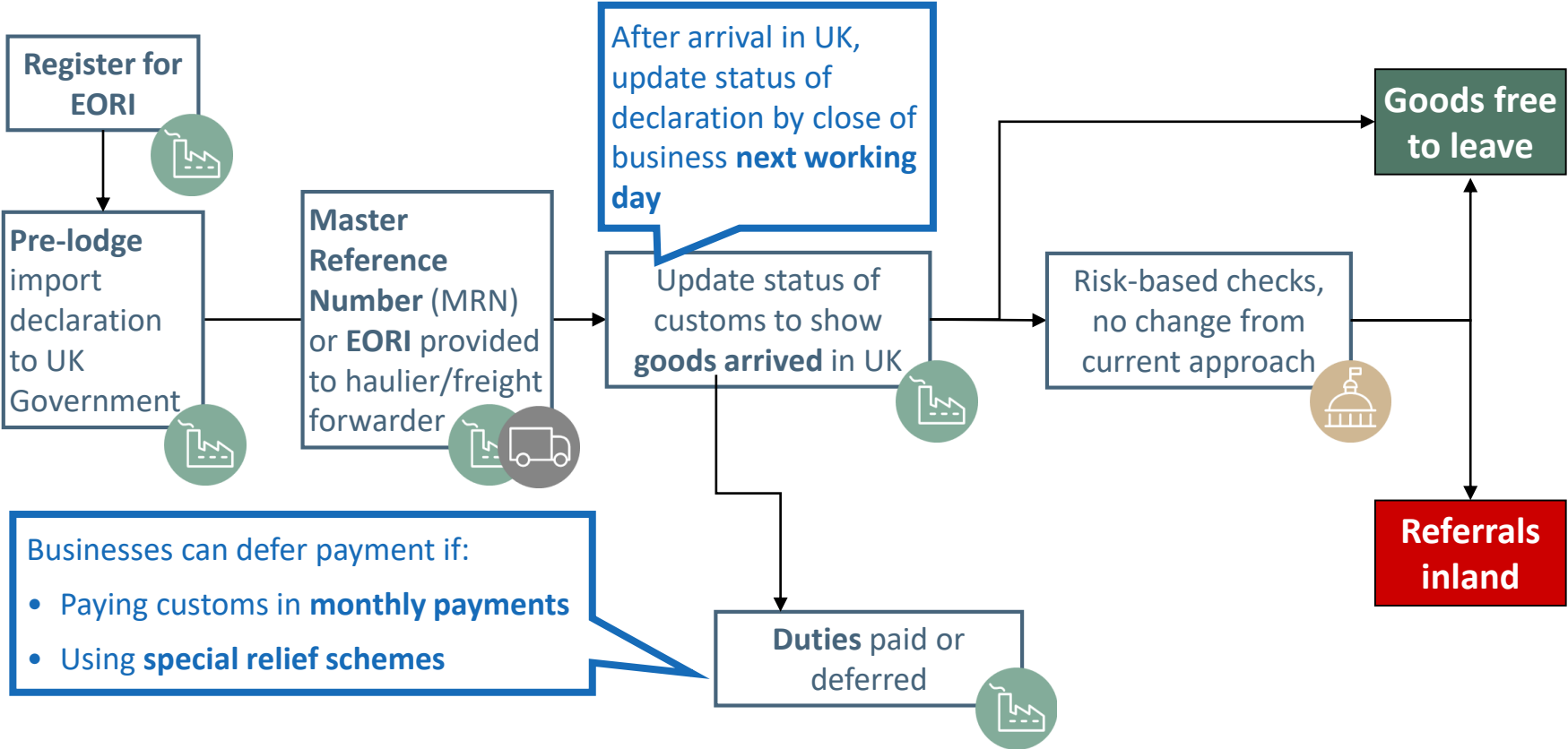
UK imports

CUSTOMS

Pre-border

En route

At UK border



Merchandise in Baggage (MiB) Exports

Merchandise in baggage are commercial goods (for trade or business use) where:

- a commercial transport operator does not carry them for you
- you've travelled to or from the UK carrying goods in your baggage or in a small motor vehicle

For travellers carrying MIB worth less than the £900 and 1000 kilograms oral declaration limit:

- travellers with commercial goods in an accompanied baggage or a small motor vehicle below £900 and 1000 kilograms that are not classified as controlled goods and not subject to a licence can make a declaration using our simplified online declaration up to 5 working days before they depart the UK **irrespective of which port they leave from the UK.**
- travellers with commercial goods in an accompanied baggage or a small motor vehicle if the goods are above £900 or weigh more than 1000kgs or are classified as controlled goods or subject to a licence will follow the standard customs export declaration process **irrespective of which port they leave from the UK.**



Merchandise in Baggage (MiB) Imports

For travellers carrying MiB worth less than the £900 and 1000 kilograms oral declaration limit:

- if they are entering the UK through a port **without** a **Red Channel** or **Red Phone** they will use an electronic form available on GOV.UK, up to 5 days before coming into the UK
- pre-lodge a simple declaration alongside paying the duty and tax
- the limits apply per vehicle
- ports without a **Red Channel** or **Red Phone** are legally defined as: RoRo Listed locations and Eurostar terminals

For travellers carrying MIB worth more than the £900 oral limit:

- pre-lodge a full customs declaration with HMRC directly through existing channels or through a customs agent up to 5 days before arriving into the UK. This will be a requirement at all ports
- the traveller will be given a receipt so that in the event they are stopped by Border Force as part of their non-fiscal targeted checks, they have evidence of customs declaration and tax payment
- for travellers carrying goods subject to excise duty or goods classified as controlled need to pre-lodge a full customs declaration irrespective of whether the goods are above or below £900



Any questions



Empty Trucks

Entering/leaving the UK

- For UK customs purposes there will be no requirement to make a customs declaration for empty lorries
- If the driver is stopped by Border Force they should confirm that the lorry is empty

Packaging

- Where an otherwise empty lorry contains some packaging no declaration will be required and the lorry will be treated as empty
- This applies to:
 - empty containers and pallets
 - equipment for controlling the temperature inside the container
 - internal partition, shelves and similar for stowing goods
- Further details <https://www.gov.uk/government/publications/notice-3001-special-procedures-for-the-union-customs-code/annex-c>



Any questions



Common Transit Convention (CTC)

What is it?

- CTC facilitates the movement of goods across borders of member countries (EU Member States, Turkey, Iceland, Norway, Switzerland, Liechtenstein, North Macedonia and Serbia) by only requiring customs declarations and payment of duties when goods arrive at their final destination
- the UK is a member of the CTC now, and will continue to be a member once we have left the EU

Why use it?

- facilitates the flow of goods
- minimises the cost of administration
- reduces delays at borders



Common Transit Convention (CTC)

What is different?

- the requirements for traders will bring an additional requirement of scanning a Transit Accompanying Document at the point of entry into the UK (or into the EU when exporting)
- volumes will be significantly different to what they are now

What do I need to do if you wish to use NCTS, and / or become an authorised consignor / consignee?

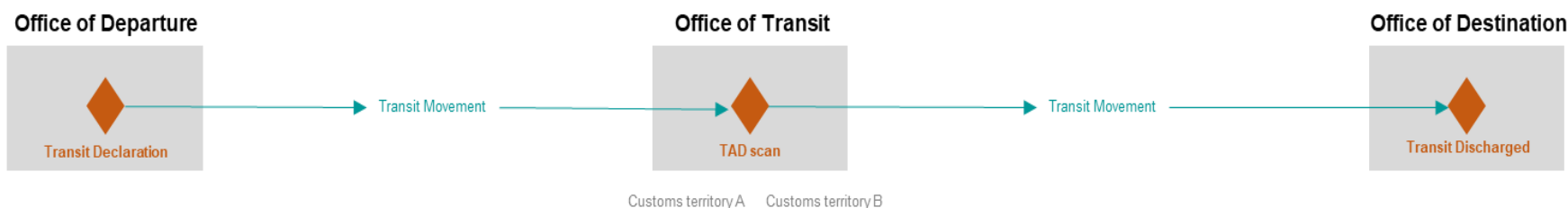
Consider:

- registering to use NCTS, which is the system used for moving goods under transit
- registering as an Authorised Consignor/Consignee to allow you to start and end transit movements from your own premises
- expanding existing or adding new Authorised Consignor/Consignee facilities



Transit and the Common Transit Convention (CTC)

Transit movements can be started and ended at authorised consignor and consignee premises respectively under the simplified procedure



- Transit movements are initiated at the Office of Departure (under the normal procedure).
- This is done by making a transit declaration on the New Computerised Transit System (NCTS).

- When a CTC transit movement enters a new customs territory, it must pass through an office of transit.
- The Movement Reference Number (MRN) taken from the Transit Accompanying Document (TAD) is entered into NCTS by HMG officials.

- Transit movements are terminated at the Office of Destination (under the normal procedure).
- A message of notification is sent to the office of departure via the NCTS.



Any questions



Transitional Simplified Procedures (TSP)

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

Traders will not be eligible if:

- they are an intermediary or acting on behalf of someone else
- they have a history of non-compliance
- goods are imported from outside the EU
- goods are subject to a Customs Special Procedure



TSP declaration process

Standard goods

- The trader makes a declaration directly in their commercial records when the goods cross the border
- The trader will provide the haulier with their EORI number as proof the goods are subject to a TSP process
- This is followed by a supplementary declaration by the 4th working day of the month following the arrival of the goods in the UK **but this requirement will not be implemented until October 2019 and duties will not be due until this time**
- **TSP will not** be able to be used between Ireland and Northern Ireland



TSP declaration process

Controlled goods

- The trader submits a simplified frontier declaration before arrival at the border, and ensures all necessary certificates and licences are available
- The reference number for this declaration is given to the haulier as proof customs formalities have been entered into
- On arrival in the UK, the trader updates the declaration to “arrived” before the end of the working day following the crossing
- This is followed by a supplementary declaration by the 4th working day of the month following the arrival of the goods in the UK **but this requirement will not be implemented until October 2019 and duties will not be due until this time**
- If the trader is already using this process, they can choose to use it for standard goods as well



Any questions



Duty Deferment

Current rules:

If a trader has duties or import VAT to pay, they must have a duty deferment account to use TSP or an agent's Customs Freight Simplified Procedures (CFSP):

- in practice, this is a direct debit mandate
- it allows HMRC to take a monthly payment of duties
- the direct debit is taken 15 days after the supplementary declaration is made

Day 1 easements:

- traders will not be required to meet the Customs Comprehensive Guarantee (CCG) criteria
- traders will have until 30 September 2019 to submit a financial guarantee to HMRC to back their deferment account
- traders can still choose to apply for a CCG, as those with AEO C status can seek a reduction in the level of guarantee required to defer duty



Special procedures – Day 1

Current rules: EU rules require a customs comprehensive guarantee (CCG) to obtain a full authorisation for a special procedure.

Day 1 easements

Traders will not be required to meet the CCG criteria nor provide a financial guarantee for:

- Inward processing
- Outward processing
- Temporary admission
- Authorised use (a.k.a. end use)
- Customs warehousing

Traders still need to meet criteria for the special procedure.

This policy will be monitored, and traders will be given 12 months' notice of changes



Key Actions for Businesses

Businesses who only trade with the EU need to act now to ensure that they are prepared in the event of a No Deal EU exit



- Apply for an **EORI number**



- 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



Any questions



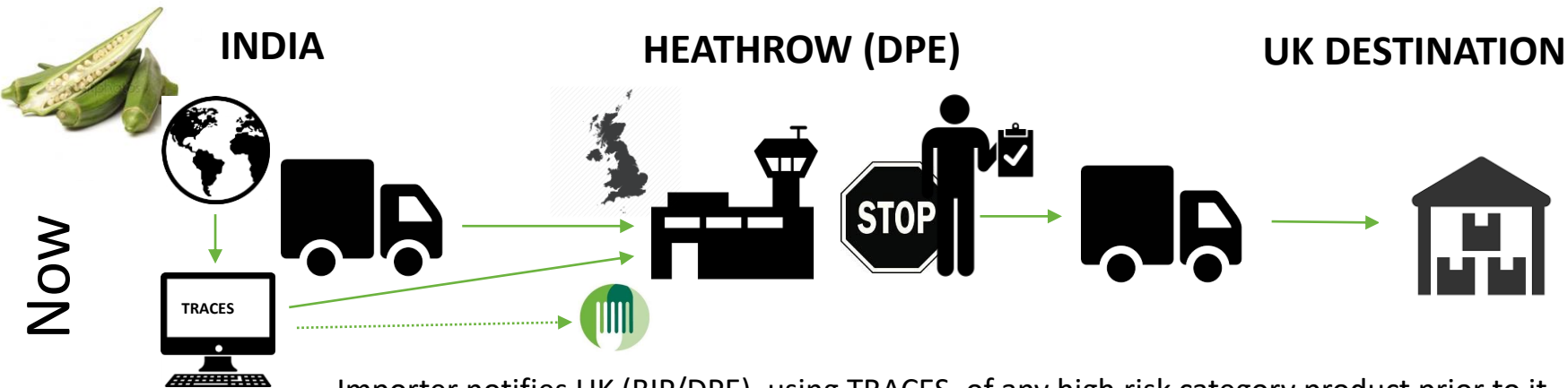
SANITARY & PHYTOSANITARY REQUIREMENTS (SPS)

JOHN FURZER (FSA) & (DEFRA)





Goods from Rest of World (3rd Country)



Importer notifies UK (BIP/DPE), using TRACES, of any high risk category product prior to it arriving at the UK. Specified checks are carried out before it can proceed and be placed on the UK market.



As before Exit but Importer will be required to use the TRACES replacement system, IPAFFS, in the event of a non negotiated exit.

Goods from EU to UK



(e.g. Poland)

FELIXSTOWE

UK DESTINATION

Now



Product enters into UK freely and is placed on the UK market

Post Brexit



Importer notifies UK (FSA) in advance (from June 2019), of intention to import High-Risk food and feed. Product enters into UK freely and is place on the UK market.



Rest of World high-risk food and feed moving through the EU to the UK

RoW to UK via the EU



For RoW high-risk food and feed consignments, the importer will be required to send those products to a UK BIP/DPE for checks to be carried out (as 3rd country process).

***Note:** If the goods are imported directly into the EU where the relevant import controls are undertaken, there will be no requirement to enter the UK via a UK BIP/DPE. This means the consignments will be able to enter the UK via any entry point.



Pre-notification of EU high-risk food and feed

What

- EU originated high-risk food or feed
- RoW high-risk food/feed imported directly into the EU but destined for UK

Why

- Due to loss of access to EU systems
- Ensure the continued protection to UK consumers from imported food

When

- Requirement will come into effect from June 2019 using a new UK system

- For surveillance purposes only and there will be no controls on such products

- **More information:**

Food and feed products not of animal origin that are considered as high-risk:
www.food.gov.uk/business-guidance/imports-exports



Any questions



Exports: Animals and Animal Products

In the event of a 'no deal'

1. In order to export animals and animal products the EU will require the UK to be a listed third country. The UK government has applied for this status and is confident that the UK meets the animal health requirements for listing
2. To export animals, animal products, fish, shellfish, crustaceans or fishery products from the UK to the EU, the UK exporter will need a certified export health certificate (EHC) which is sent with the export consignment
3. The goods will need to enter the EU through a border inspection post (BIP)
4. The EU-based importer/import agent will have to notify the BIP prior to the arrival of the consignment, and at least 24 hours in advance for live animals – and upload a copy of the EHC on TRACES



Exports: Animals and Animal Products

key messages for EU businesses



- **Pre-notify on TRACES** when importing animals and animal products from the UK – and upload a copy of the UK Export Health Certificate



- Ensure the UK exporter **sends the original Export Health Certificate (EHC)** with the consignment



- **Plan with logistics providers** to enter the EU through a BIP

Imports: Live Animals



Check what **documents** are required for the goods you import across the EU-UK border and how to apply for them (e.g. Export Health Certificate)



Pre-notify the UK authorities about the goods you import across the EU-UK border at least 24 hours prior to arrival



Plan with logistics provider for travel to a UK Point of Entry that has the facilities for live animals



Check the **systems** (e.g. UK import system, IPAFFS or online forms) you need to use and prepare your business to do so



Imports: Plants & Timber



Check whether the goods you export across the UK-EU border are currently managed under the EU plant passport regime. If they are, you will need to provide a phytosanitary certificate (PC) to move them to the UK on Day 1.



The UK importer may need to be registered on UK systems or with the UK authorities in order to import into the UK. They should check the **systems** they need to use (e.g. PEACH) and register before they import.



The UK importer must pre-notify the UK authorities about the goods being imported across the UK-EU border using the PEACH system (for goods entering in England and Wales). They will need to provide scanned copies of the PC and import documents.



Plan with logistics provider for travel via a UK authorised Point of Entry for plants and plant products/timber.

If your goods have come from a 3rd country via the EU and are entering via a RoRo port, arrange inland checks at authorised trade premises.



Imports & Exports: Wood Packaging Material



Wood packaging material such as wooden pallets moving between the UK and the EU will have to be heat treated and marked in compliance with international standards.

The UK will continue to take a risk-based approach to checking WPM and therefore there will be **no new border checks** on EU WPM.

Imports: Chemicals



The UK will replace EU regulations with a UK regulatory framework and build domestic capacity to deliver the functions currently performed by the European Chemicals Agency (ECHA)



The UK will lose access to the EU's REACH IT-system



Imports: For the majority of chemical shipments, there will be minimal impact at points of entry because regulatory control takes place away from the border



Exports: There are additional requirements for exporters, namely appointing an EU-based Only Representative to maintain access to the EU market, but these do not take place at the border



Any questions



DEPARTMENT FOR TRANSPORT

MARGARITA VIGRANDE-ASHE



Prepare your business now to ensure you, your customers and suppliers are ready for EU Exit

- **Transport documentation** for EU hauliers will remain the same, with no new documents or processes.
- The UK Government has confirmed it will:
 - continue with existing driver hour arrangements;
 - recognise driver and transport manager Certificate of Professional Competence (CPC);
 - recognise EU issued driving licences;
 - recognise EU Community licence – you will not need an ECMT permit to access the UK.
 - you will need a Green Card as proof of third party insurance when either driving a UK registered car the EU or performing haulage and passenger operations. One Green Card is sufficient for both your cab and trailer/caravan.
- As the EU Regulation on maintaining basic connectivity has now been approved, the UK put in place laws to reciprocate:
 - we will maintain the current rights for EU hauliers and bus operators after exit day, including on cabotage and cross-trade.



Prepare your business now to ensure you, your customers and suppliers are ready for EU Exit

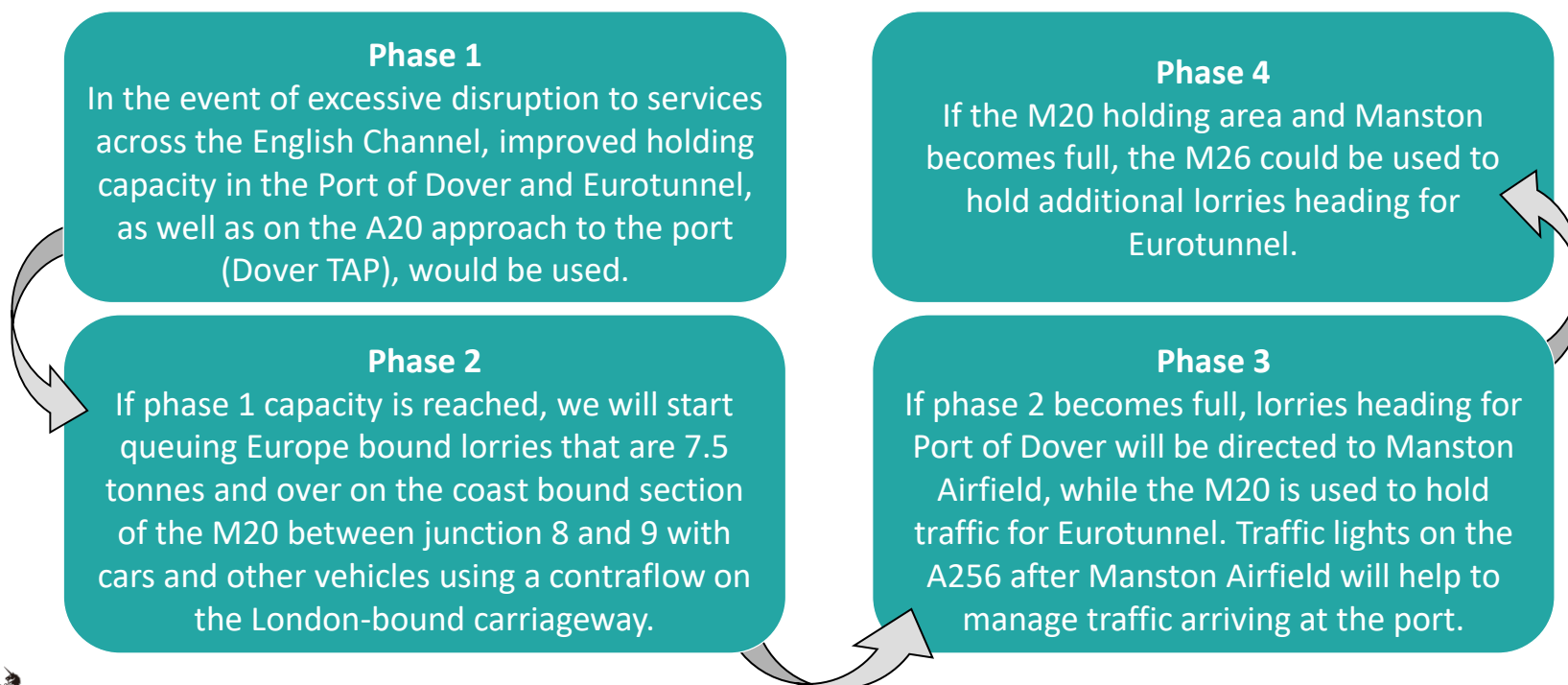
- Department for Transport is able to respond rapidly to urgent situations by temporarily relaxing the drivers' hours rules where it is in the public interest to do so.
- The details, including the scope of the relaxation, are determined on a case-by-case basis following close engagement with affected industry sectors.
- In the past this facility has been made use of during roads disruption caused by events such as adverse weather conditions and disruption to cross-Channel traffic.



Prepare your business now to ensure you, your customers and suppliers are ready for EU Exit

What is Operation Brock?

Operation Brock is a set of measures to keep the M20 open in both directions between junctions 8 and 9 in the event of disruption to services across the English Channel, by using different holding areas. The queuing system only applies to lorries heading to mainland Europe from Kent. All other drivers should check conditions before setting out and, if they're crossing the channel, check with their service operator for updates.



Any questions



DEPARTMENT FOR BUSINESS, ENERGY & INDUSTRIAL STRATEGY

ANTONIA JEANS



New Approach: How things work today



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')

New Approach: Selling into the UK



New approach goods meeting EU regulations can still be sold in the UK with a CE marking



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



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



New Approach: Other issues to consider



UK-based 'authorised representatives' will not be recognised in the EU



An EU-based distributor of UK 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



Non-Harmonised products: How things work today



Some goods are subject to national regulations rather than EU-wide rules



In principle can circulate in EU under mutual recognition principle once sold in one part of EU



This includes where different Member States have different national rules



However – this is subject to numerous exceptions and is not a guaranteed right

- Sources: Trading under the mutual recognition principle if there's no Brexit deal – Available [here](#)



Non Harmonised Goods: What will change



UK no longer within scope of mutual recognition for non-harmonised goods



If you import those goods to UK – check they meet UK national requirements



If you export goods to EU – check they meet national requirements of first EU country exported to



Once your goods have been sold in one EU country you **may** then be able to make use of the mutual recognition principle

- Sources: Trading under the mutual recognition principle if there's no Brexit deal – Available [here](#)



Automotive manufacturers: How things work today



Safety and environmental standards for vehicle and component manufacturer type-approvals are set in framework regulations on ECWVTA



UK Vehicle Certification Agency (VCA) issues EU-recognised type-approvals, and acts as a technical service for compliance testing



The UK is an individual contracting member to the UN-ECE, and continues to recognise UN-ECE approvals for vehicle systems and components

1. European Community Whole Vehicle Type Approval



Automotive: Checklist of actions for selling into the UK



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



Chemicals: How things work today



Production and use of chemicals is regulated by the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) Regulation as implemented by European Chemicals Agency (ECHA)



Packaging and labelling of chemicals in the EU is regulated by the Classification, Labelling and Packaging (CLP) regulation in line with the UN Globally Harmonised System (GHS)



Suppliers need to register chemicals with ECHA and comply with CLP **guidelines** before placing them on the EU and UK markets; manufacturers and importers need to notify ECHA with details of their chemical products



Prior Informed Consent (PIC) Regulation requires exporters to pre-notify and receive consent from ECHA for listed chemicals



3rd country exporters into the EU must trade with compliant EEA-based importers or use an 'Only Representative' (OR)¹

- 1. Acting agent based in the EEA, who carries out the tasks and responsibilities of importers to comply with REACH; option to simplify EEA market access for their products from outside the EEA, secure the supply and reduce responsibilities for importers



EU REACH will be replaced with a separate UK regulatory regime



The UK will establish its own regulatory framework, preserving the majority of REACH at Exit



New chemicals from the EEA will need HSE registration before placement on the UK market



New chemicals from the UK will need ECHA registration before placement on the EEA market



UK importers will have a duty to register chemicals (including imports from the EEA) with HSE



UK-based downstream users will face new registration requirements for EEA imports; additional authorisation is required if previously addressed to companies in the EEA

Chemicals: Checklist of actions for selling into the UK



UK suppliers with 'grandfathered' REACH registrations need to validate with HSE and open an IT account within 120 days of Exit



UK suppliers with 'grandfathered' registrations will need to provide full data packages within two years of Exit



If your EU/EEA supplier does not have a UK OR, downstream users will need to register as an importer within 180 days of exit and provide the full data package within two years.



New chemicals will need separate ECHA and HSE registrations before being placed on both the EEA and UK markets



Exporters will need to provide prior notifications to HSE for hazardous chemicals, and receive explicit consent from HSE



HELPING TO PREPARE YOUR BUSINESS

HEATHER JONES AND STELLA JARVIS

BORDER DELIVERY GROUP



Additional Information

To help you understand and prepare for the changes at UK borders

Go online to gov.uk for the most up to date information, including:

Gov.uk/euexit landing page: a single location with a streamlined user journey where anyone can find guidance and the most up-to-date information to prepare for EU Exit. Through this, you can access:

- > **Step-by-step guides:** detailing the actions you need to take to continue to import and export in a no deal scenario
- > **Technical notices:** policy detail covering a wide range of changes in a no deal scenario.



Additional Information

- **Partnership Pack and communications products:** a pack designed to help you support businesses preparing for day one if we leave the EU without a deal.
 - > This page is currently being updated to include a range of products created by BDG that you can use to raise awareness with your own stakeholders and customers. These include:
 - > **Leaflets:** covering the key changes in a no deal scenario, for a range of industries
 - > **Videos:** covering the key changes and additional requirements, including short clips designed for social media and deep dive videos into key topics such as importing and exporting
- **queriesatborder.FR@hmrc.gsi.gov.uk**
- **Weekly bulletin:** email updates covering new information related to EU Exit. To subscribe to the bulletin, email **secretariatmailbox.borderplanninggroup@hmrc.gov.uk**



Prepare your business now to ensure you, your customers and suppliers are ready for EU Exit

6 immediate actions to prepare for goods leaving the UK



- Customs and Safety & Security Declarations

- Using transit

- Register for an **EORI number** with the UK
- **If exporting**, the export declaration and S&S declaration is merged
- **If using transit** – this is also a merged document
- Review the **information needed for entry into the EU** – if you are not using transit, your haulier will also be required to carry evidence (the MRN) of a **EU Member States importation & separate safety & security** declaration pre-lodgement

- Controlled products

- **Agree responsibilities** with your customs agent and/or logistics provider
- Apply in advance of export for **ID documents and/or certificates for goods**



Prepare your business now to ensure you, your customers and suppliers are ready for EU Exit

6 immediate actions to prepare for goods entering the UK



- **Customs Declarations**

- Register for an **EORI number** with your home country's customs office and UK importer to have a UK EORI number

- Review the **information needed** for the Declaration forms, and review easements allowed for Transitional Simplified Procedures (TSP)

- Apply for a **deferment account**, if you are eligible

- **Using Transit**

- **Agree responsibilities** with your customs agent and/or logistics provider

- **Controlled products**

- Apply for **ID documents and/or certificates for goods**
- Plan logistics for **travel via inland locations**, including goods which are required to enter the UK via Border Inspection Posts (BIP) & Designated Points of Entry (DPE)



Any questions

