



Brexit

Operator checklist from the RHA

11 February 2020

Version 11

The RHA has provided checklists for operators over the last 15 months or so in preparation for a potential “no deal” Brexit. The original “No deal” outcome is no longer possible, so to avoid confusion the RHA has removed old checklists from the website.

The focus now is on preparation for the regulatory and economic Brexit now due to apply from 1 January 2021 when the transition period ends.

The UK Government and the European Commission have made statements regarding objectives for future negotiations and the relationship between the UK and EU. Broadly speaking this is based around the UK leaving the Single Market and Customs Union with or without a free trade agreement.

2020 Transition – Stable regulation

Until at least 31st December 2020 the UK will be in a ‘transition’ period that keeps the UK inside the Single Market and Customs Union.

For road haulage companies no changes will apply in 2020 to current rules around:

- Customs & Border Processes for importing and exporting goods
- Community licences
- Vehicle insurance
- Driving licences
- Driver and Transport Manager Certificates of Professional Competence,
- Tachograph legislation
- Passports and identity documents
- European Health Cards (EHIC)
- CMR notes



Cabotage and cross trade rights and obligations under EU rules remain in place for all EU and UK operators as if the UK is still a member of the EU.

Rules around the above list will change for road haulage movements from 1 January 2021. Preparation by hauliers and traders in all areas will be needed during 2020.

Negotiations

There will be a lot of “noise” over the next several months while negotiations take place between the UK and EU Commission. These will relate to a possible free trade agreement and the future relationship between the UK and EU from 1 January 2021.

This “noise” will have no bearing on the arrangements in place for the rest of 2020.

Preparations for International Haulage from 1 January 2021

During 2020 the UK and EU will define the rules for international road haulage from 1 January 2021. At this time these rules are unknown so no action can be taken road hauliers around those future arrangements – it is hoped that some progress will be made before July.

What is clear is that customs declarations will be required for shipments moving between the UK and the EU from 1 January 2021. Customs and border controls still need significant detailed work – there is massive uncertainty around how road haulage systems will work on both the UK and EU side. There needs to be clear operating models end to end for road haulage movements, this has been promised but there is no date for this to be delivered.

There are uncertainties over many details. Even so, there are some areas where we can see basic preparations will need to be made. The list below highlights a number of these.

Issue	When	Action and Notes
Customs & Border Processes for <u>exporting</u> goods to EU	Now	Customs declarations will be required from 1.1.21. Traders must ensure they and their customers understand what paperwork will be required for customs. Ensure now that commercial invoices contain all the data that will be needed for customs declarations. The use of “transit” arrangements under the Common Transit Convention is expected to be a dominant process for international road haulage between the UK and EU.



Customs & Border Processes for importing goods from the EU	Now	Customs declarations will be required from 1.1.21. Traders must ensure they and their suppliers understand what paperwork will be required for customs. Ensure now that commercial invoices contain all the data that will be needed for customs declarations. The use of “transit” arrangements under the Common Transit Convention is expected to be a dominant process for international road haulage between the EU and UK.
Regulatory Processes for sending goods between NI and GB	Wait	Some form of customs declaration will be needed. These will be defined in coming months.
CMR Notes	Now	Operators need to ensure that CMR Notes are routinely completed to a high standard, with correct goods descriptions and other details.
Community Licences	Wait	Arrangements will become clearer as negotiations proceed.
Driving Licences	Wait	Arrangements will become clearer as negotiations proceed.
Driver & Transport Manager CPC	Wait	Arrangements will become clearer as negotiations proceed.
Tachographs	Wait	Expect EU rules to still apply for international road haulage.
Drivers hours	Wait	Expect EU rules to still apply for international road haulage.
Passports and identity documents	Wait	Expect that UK Passports will need at least 6 months validity to enter the EU from 1.1.21
European Heath Cards	Wait	Subject to negotiation
Transit permits for UK hauliers travelling beyond the EU	Wait	This is subject to negotiation. An agreement is possible that will allow transit to third countries without the need for transit permits.
Transit by EU hauliers through the UK between Ireland and the rest of the EU	Wait	This is subject to negotiation but is expected to be agreed.
Cabotage in the EU	Wait	European Commission has said that it is unlikely to be possible for UK operators to do cabotage in the EU. This may change as a result of negotiation, however for now operators should assume no cabotage will be permitted from 1 January 2021.
Cabotage by EU operators in the UK	Wait	Given the European Commission position on cabotage it is expected that symmetry will apply and EU operators will not be allowed to cabotage in the UK.



		This may change as a result of negotiation, however for now operators and customers should assume no cabotage by EU operators will be permitted in the UK from 1 January 2021.
Cross Trade by UK operators between two EU member states.	Wait	The European Commission has ruled out allowing cross trade by UK operators. This may change as a result of negotiation, however for now operators should assume that cross trade in the EU after 1 January 2021 will require an ECMT permit.
Sanitary and Phyto-Sanitary checks	Wait	These may be determined to some extent by the free trade negotiations. However, any imposition of checks will have a substantial impact on the movement of goods subject to inspection.
Tariff Rates	Wait	This will depend on the Free Trade Negotiations.
Border Readiness checks and requirements for a lorry to board a ferry or train to cross the UK EU border.	Wait	It is likely that the route taken to enter or leave the EU, and the final country of destination for the goods, will have an impact on what is required to cross that border. There will be variations by route.
Safety & Security Declarations	Wait	The requirement for import Safety & Security destinations are yet to be determined. UK export Safety and Security declarations will be covered by the Export Customs Declaration.

More Information: www.rha.co.uk

**If there are topics that should be added to this check list please email
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