

END OF BREXIT TRANSITION PERIOD CHECKLIST- DECEMBER 2020

This checklist has been created to help you consider the changes that the end of the transition period on 31 December 2020 may bring to your firm. It is here to support business planning at both operational and Board levels. The UK left the European Union on January 31, 2020. The transition period will end on December 31, 2020. Negotiations to establish a trade between the UK and the EU deal are still underway. If these talks fail to produce an agreement, a 'no-deal' Brexit is still possible at the end of December 2020. If a deal is agreed, it will take the form of a free trade agreement. While some companies are planning for the challenges and opportunities ahead, Chambers of Commerce believe that all firms – not just those directly and immediately affected – should be undertaking an end of the Brexit transition period 'health check' and a broader test of existing business plans. Time spent thinking through the changes that the end of the Brexit transition period may bring to your firm could yield real dividends in future.

There are steps that businesses of all sizes can take now to start planning ahead:

- Have you / your management team devoted time to considering the potential consequences of the end of the Brexit transition period – direct or indirect – on your businesses?
- If you have one, have you consulted with your Board of Directors on the end of the Brexit transition period – or scheduled an opportunity to do so?
- Have you mapped your supplier and customer base – and considered how changes in the UK-EU trade relationship could affect them?
- Have you checked to see if your sector is included in the guidance issued by the UK Government and European Commission? UK government have also launched their Check, Change, Go campaign, details can be found [here](#). An online tool on GOV.UK on Preparing your Business for Brexit can be found [here](#).

The checklist below has been prepared in response to BCC research on business preparation, member queries and the information available from government. We hope you find it useful as a basis for business planning at both operational and Board level. The BCC coordinated a Letter from Chancellor of the Duchy of Lancaster, Michael Gove MP, to businesses moving goods between the UK and the EU and between GB and NI, to help them prepare for the new trading relationship with the European Union following the end of the transition period. A copy of the letter can be found [here](#).

Your firm doesn't have to navigate the end of the Brexit transition period alone. Contact your local accredited Chamber of Commerce to find out how your Chamber can support you. For specialist customs advisory services, please visit [ChamberCustoms](#) a customs advisory, training and brokerage service delivered through Chambers of Commerce across the UK.

**There may be some differences to the status quo for UK trade with third countries – please check. Note that where materials refer to precise timelines for policy, these may be subject to revision as events unfold.*



Have you considered the following?

Workforce



What percentage of your UK workforce is from the EU27? Do your staff know the steps to take to register as an EU citizen working in the UK? What can you do to help retain skills and labour?

What will be your skills and labour needs over the next few years? Will you need to hire someone from outside the UK? What steps will you need to take to hire them? Could different arrangements (remote working) be feasible for your business?

Cross-Border Trade



What customs procedures do you comply with for trade with non-EU markets? Are you ready, if the need arises, to apply these to imports from or exports to the EU?

How resilient is your supply chain to potential border delays? Do any contracts you have include penalties for late delivery?

Do you know the HS codes (international classification system) for your product? Do you know the EU Most Favoured Nation (MFN) tariff applicable for your product?

If the UK and the EU do not reach an agreement that removes all tariffs, what would the impact of the MFN tariff be on your cost base?

Are you familiar with the temporary tariff schedule for imports to the UK in the event of no trade deal?

If you are a supplier, has your customer asked you to provide proof of where you source your content? Would you be able to provide it if asked? If you buy your components from local suppliers, have you thought about conducting an audit of where they source their materials?

Do you import or export using lower duty rates ('preferences') provided by the EU's existing trade agreements? How might changes to, or the ending of, these preferential rates impact you?

Have you considered applying as an Authorised Economic Operator? Will your business handle new Customs and Safety and Security Declarations in-house or with a third-party?

Do you have a member of staff knowledgeable in customs and export? Would it be valuable to train a member of staff in this area?

Has your business registered for an EORI number to continue trading with the EU in the event of a no-deal?

Are you familiar with INCOTERMS?

Taxation / Insurance



Do you know which country would be best suited to support your supply chain to EU customers/suppliers? Do you have access to bank guarantees required by Fiscal Representatives? Does your business model allow enough margin to absorb the increased costs these new processes will bring? If you are a business that is stockpiling, have you checked with your insurer or insurance adviser on whether you are still fully insured?

Currency/Intellectual Property/Contract



What currency are you being paid in? Have you considered the possibility of further currency movements and how this might affect existing and future contracts?	
Do you own any Intellectual Property rights? Have you contacted trademark bodies/solicitors/IP advisors on how to protect your intellectual property?	
Do your contracts refer to any terms that should be reviewed in light of the UK leaving the EU? Do they make references to the UK being a Member State/to the EU? Does your contract rely on EU regulation applicable to contractual arrangements?	
Which regulatory agencies do you work with? What steps might you need to take to comply with separate UK and EU regulators in the future?	
Do you know if the EU's eCommerce Directive is relevant to your business?	
Does your business operate any websites with a '.eu' domain name registration?	

WORKFORCE

Area	Context	To consider/ Take Action	Y/N
EU-UK business mobility and recognition of qualifications	<p>There will be changes to the recognition of qualifications. UK professionals operating in the EU will need to check the third-country requirements in the host state. EU professionals operating in the UK will need to check with the relevant UK regulator.</p> <p>The EU Commission has published proposals for UK business travellers in the EU. UK business visitors can spend 90 out of 180 days in the EU visa free, after which a visa or permit may be required from the individual host country. There will be other travel changes e.g. to passports, carrying currency, healthcare and driving.</p> <p>The UK's new immigration regime will operate from January 2021. The British Chambers of Commerce is</p>	<p>What changes apply to EU/EEA/Swiss citizens visiting your business after the end of the Brexit transition period? More here.</p> <p>How will your future travel to the EU for the servicing of contracts or other purposes be affected? More information here.</p> <p>Are you and your employees aware of changes to UK passport rules for travel to Europe? Check the non-EEA visa requirements for the country you are visiting here.</p> <p>The UK Government has issued information for UK nationals living in or travelling to and from the EU - including work, education, recognition of professional qualifications etc. More here.</p>	

advising the Home Office on this, using feedback from across the UK Chamber Network.

Will there be changes to modes of travel to Europe and the EEA after the UK leaves the EU? Find out more [here](#) and [here](#).

Do you transfer staff between businesses in your group, or run a graduate training scheme? Restrictions may apply. Current non-EEA Intra Company Transfers fall under the UK's Tier 2 sponsorship arrangements, with regulatory and record keeping requirements for employers. More [here](#). The new Immigration Regime may include an ICT route.

What will be your skills and labour needs over the next few years? Will you need to hire someone from outside the UK? What steps will you need to take to hire them? Could different arrangements (remote working) be feasible for your business?

Do you employ UK nationals living in the EU/EEA/Switzerland? The UK Government has published information on the rights and status of UK nationals. More [here](#).

Your UK staff may require a visa to undertake any work in the EU. Information on the rights of UK nationals travelling in the European Union, European Economic Area (EEA) and European Free Trade Area (EFTA), and Switzerland [here](#).

Are you aware of changes to the recognition of professional qualifications? UK Government guidance can be found [here](#).

The European Commission has published guidance on professional qualifications [here](#).

<p>Workforce and future skills need</p>	<p>The Government has issued guidance for EU/EEA/Swiss nationals who wish to live and work in the UK after the end of the Brexit transition period.</p> <p>EU nationals and their family members who have lived in the UK for at least five years by 31 December 2020 will be able to apply for UK Settled Status. Those who have been here for less than 5 years, can apply for Pre-Settled status until they meet the full criteria. The application deadline is 30 June 2021.</p> <p>Irish citizens do not need to apply to the scheme to protect their rights in the UK, though they can if they wish to. Non-Irish, non-British family members of Irish citizens will need to apply to the EU Settlement Scheme if they want to stay in the UK after 31 December 2020.</p> <p>From January 2021, there will be a new UK immigration regime. The British Chambers of Commerce is advising the Home Office on this, using feedback from across the UK Chamber Network.</p> <p>EU/EEA/Swiss citizens newly arriving in the UK during the period after EU Exit, and before the new skills-based</p>	<p>What percentage of your UK based workforce is from the EU (excluding the UK and Republic of Ireland)?</p> <p>Do your staff know the next steps to take to register as an EU citizen working in the UK?</p> <p>What can you do to help retain skills and labour?</p> <p>The EU Settlement Scheme is now open. Applications are free of charge. View here.</p> <p>The Home Office has published an Employer Toolkit which covers the key details of the EU Settlement Scheme, information and materials with which to support affected staff and their families. View here.</p> <p>Guidance is now available in 23 official EU languages, as well as in Norwegian, Icelandic and Welsh, together with translated assets. View here.</p> <p>The Home Office has published guidance on the EU Settlement Scheme Assisted Digital service: EU Settlement Scheme Assisted Digital Service for applicants who don't have the appropriate access, skills or confidence to complete the form. More information here.</p> <p>The Government has announced arrangements for EU citizens arriving in the UK during the period after the end of the Brexit transition period and before a new 'points-based' immigration system is introduced in 2021. Updated guidance for EU citizens is here.</p>	

immigration system is introduced, can apply for Pre-Settled Status. The deadline is 30 June 2021.

Guidance for employers on right to work checks is [here](#)

The UK immigration system will be effective from 1 January 2021, ending free movement. View [here](#)

CROSS- BORDER TRADE

Area	Context	To consider/ Take Action	Y/N
Cross-border trade	UK businesses trading with the EU will need to have a UK Economic Operator Registration and Identification number (EORI) number to continue trading. Customers and suppliers based in the EU will need an EU EORI number to import / export goods to/from the UK.	<p>UK businesses trading with the EU will need to have an Economic Operator Registration and Identification number (EORI) number to continue trading. If you are a VAT-registered company you will be automatically allocated an EORI number shortly, if you have not received or applied for one already.</p> <p>If you are a non-VAT registered company that trades with the EU, has your business registered for an EORI number to continue trading with the EU in the event of no-deal? UK Government guidance on EORI numbers: More here.</p> <p>If you have a parent/subsidiary branch, customers/suppliers within the EU then you should check know that they know will need an EU EORI number to import/export goods from/to the UK on day one no-deal.</p> <p>HMRC has announced that they have automatically enrolled VAT-registered businesses who import from the EU into the TSP scheme, which the BCC called for.</p> <p>Traders who are not registered for VAT are strongly encouraged to apply for Transitional Simplified Procedures (TSP) to make it easier to import goods from the EU. To register for TSP, click here</p> <p>If you are a trader or carrier that moves goods between Great Britain and Northern Ireland, you need to register for the Trader Support Service, otherwise you will not be able to move goods between the regions. The Trader Support Service will raise declarations on your behalf for free.</p>	
Customs	There are duty relief schemes available to UK businesses.	It may be worthwhile for your business to consider applying for these.	

<p>facilitations, reliefs etc.</p>		<p>There is also a trusted trader scheme – Authorised Economic Operator (AEO) – that may be relevant to you if your supply chain also takes part in it. Please speak to your local Chamber to learn more about these.</p> <p>Will your business handle new Customs and Safety and Security Declarations in-house or with a third-party?</p> <p>If your business is exporting live animals or animal products, do you have the right documentation (e.g. Export Health Certificate, Catch Certificates, equine/plant IDs)? Are your drivers aware of the required documents?</p> <p>If you are importing certain types of food and feed of non-animal origin, you may be subject to increased import controls. Have you considered the requirements for certain types of goods to enter through Border Inspection Posts and/or Designated Points of Entry?</p> <p>Do you plan to apply for additional customs relief or trusted trader schemes from HMRC? Read more about them here and here.</p> <p>For specialist customs advisory services, please visit ChamberCustoms, a customs advisory, training and brokerage service delivered through Chambers of Commerce across the UK.</p>	
<p>Customs/ Export training</p>	<p>Deal or no-deal, there is expected to be new customs processes and compliance requirements on UK-EU trade.</p>	<p>Do you have a member of staff knowledgeable in customs and export? Would it be valuable to train a member of staff in this area? Chambers are able to provide both ongoing support and relevant training. Find your local training provider here.</p> <p>Customs/export training: HMRC has announced a programme of training and IT support for customs intermediaries. The purpose of the training is to give</p>	

		<p>traders an understanding of how to compile the information needed for simple import and export customs declaration entries. HM Treasury and HMRC announced a one-off investment to support broker training and increased automation. As part of this investment, funding has been set aside for grants to help meet the upfront costs of employee training and IT improvements. More information here.</p> <p>For specialist customs advisory services, please visit ChamberCustoms, a customs advisory, training and brokerage service delivered through Chambers of Commerce across the UK.</p>	
EU trade agreements with third countries	The Government has indicated its intention to secure the benefits of existing EU trade agreements with other countries. However, businesses may need to consider a scenario where the terms were to change, and preferential trade terms are no longer available.	<p>Do you import or export using lower duty rates ('preferences') provided by the EU's existing trade agreements? How might changes to, or the ending of, these preferential rates impact you?</p> <p>If you are supplying to a partner in the EU who is exporting to a third country with which there is an agreement, please be aware that EU firms have been encouraged to look for EU only (not UK) content to be able to benefit from lower tariff rates. Consider if there is any way for you to mitigate this.</p> <p>Current progress in agreeing continuity agreements with third countries can be found here.</p>	
Exports of animals and animal products	The UK's listed status application has been agreed by EU Member States after it met the animal health and biosecurity assurances required for a third country to export live animals and animal products.	<p>Full guidance from Defra about exporting animals and animal products can be found here.</p> <p>To export animals and animal products to the EU your consignment will need to:</p> <ul style="list-style-type: none"> • Apply for your Export Health Certificate (EHC) using the form finder here. 	

		<ul style="list-style-type: none"> • Have your EHC signed by an authorised signatory following an inspection of your consignment. Find an authorised signatory here. • Send your consignment with the original EHC and email a copy to your EU importer or import agent to enable them to pre-notify the EU Border Inspection Post (BIP). • Check your trade route goes to an EU BIP which is appropriate for your consignment. 	
Imports of animals and animal products	<p>For imports from non-EU countries, businesses will need to use the UK's new Import of Products, Animals, Food and Feed System (IPAFFS) for imports of live animals, products and by-products of animal origin subject to veterinary checks, high-risk food and feed, and germplasm.</p> <p>For imports from EU countries, IPAFFS will initially not be used to notify of EU imports and the IV66 form must be used instead.</p>	Are you familiar with the guidance published by DEFRA ?	
Incoterms	Knowing the International Terms and Conditions of Service will help you set the right contract terms to reflect potential changes of status (becoming an exporter/importer).	Are you familiar with INCOTERMS? Contact your local Chamber for advice and guidance. More here .	
Potential delays at UK/EU border	With potential customs checks between the UK and the EU, there may be delays at the border.	The potential of customs checks to cause delays at the border will depend on how new policies are implemented in practice: customs checks are typically risk-based rather than universal. As yet there are no details on how enforcement might be executed in practice. How resilient is your supply chain to potential border delays? Do any contracts you have include penalties	

		<p>for late delivery? You may want to discuss with your logistics provider whether you would require new arrangements.</p> <p>Do you need to increase your inventory and/or buy additional storage space?</p> <p>HMRC have also provided some industry specific information, more here.</p> <p>For specialist customs advisory services, please visit ChamberCustoms, a customs advisory, training and brokerage service delivered through Chambers of Commerce across the UK.</p>	
Rules of Origin in UK-EU trade	<p>Even if the UK has a zero-tariff trade agreement with the EU, companies will need to prove that their product is of UK origin to benefit from this (usually, this means that 50-55% of the product has to be locally sourced). The exact terms of these rules between the UK and the EU are yet to be confirmed.</p>	<p>If you are a supplier, has your customer asked you to provide proof of where you source your content? Would you be able to provide it if asked?</p> <p>If you buy your components from local suppliers, have you thought about conducting an audit of where they source their materials?</p> <p>UK Government technical notices on EU FTAs in the event of no-deal can be found here.</p>	
Tariffs on UK-EU trade	<p>Businesses should consider the potential impact of a situation where there are tariffs between the UK and the EU – based on the EU Most Favoured Nation (MFN) tariff (which applies to countries that do not have a special agreement with the EU).</p>	<p>Do you know the HS codes (international classification system) for your products? Do you know the EU MFN tariff that is applicable for your product?</p> <p>If the UK and the EU do not reach an agreement that removes all tariffs, what would the impact of the MFN tariff be on your cost base?</p> <p>UK Government technical notice on trade remedies in the event of no-deal can be found here.</p>	

		<p>The most up to date MFN and tariff quota rates of customs duty on imports in the event of no-deal can be found here.</p> <p>In the event of no-deal, your business will need to check the tariffs on exports to the EU before the UK leaves. More here.</p>	
UK/EU customs and excise checks	As a 'third country', UK exporters to the EU after the end of the Brexit transition period may in future be required to make customs declarations.	<p>What customs procedures do you comply with for trade with non-EU markets? Are you ready, if the need arises, to apply these to imports from or exports to the EU?</p> <p>See the UK Government's technical notice on exporting controlled goods in the event of no-deal here.</p> <p>Find out how to import excise goods from the EU and export excise goods to the EU after the end of the Brexit transition period.</p>	

TAXATION/ INSURANCE

Area	Context	To consider/ Take Action	Y/N
Double Taxation	The tax treatment of interest, royalties and dividends paid between UK and EU firms could change in the event of no-deal.	HMRC guidance for the future treatment of payments between associated companies in the UK and other Member States that are currently exempt from deduction of tax under the Interest and Royalties Directive and the Parent Subsidiary Directive. More here .	
Import VAT	The UK will introduce postponed accounting – the same system that is currently in place for intra-EU trade. This means that there will be no need to pay VAT at the border; the only change caused by Brexit on VAT will be on parcels valued up to and including £135.	<p>UK Government guidance on import VAT for businesses can be found here.</p> <p>HMRC has provided guidance on managing your import VAT on parcels. More here.</p>	
Insurance	Insurance policies may be affected by sudden changes to the business environment.	If you are a business that is stockpiling: have you checked with your insurer or insurance adviser on whether you are still fully insured?	

		<p>If you are temporarily storing additional stock or raw materials off site in a warehouse, check the cover under your commercial policy, and the extent of any cover provided by the warehouse firm.</p> <p>Source: The Association of British Insurers (ABI)</p>	
VAT registration in the EU	<p>If you trade in goods and decide to hold stock in an EU country for supply to your EU customers, you will need to register for VAT in that country. Dependent on the country where your stock is, you may also be required to appoint a Fiscal Representative who is jointly liable for any VAT you may owe.</p>	<p>Do you know which country would be best suited to support your supply chain to EU customers/suppliers? Do you have access to bank guarantees required by Fiscal Representatives? Does your business model allow enough margin to absorb the increased costs these new processes will bring?</p> <p>UK Government guidance on VAT for businesses after the end of the Brexit transition period can be found here:</p> <ul style="list-style-type: none"> • Pay VAT when you sell digital services to EU customers after Brexit • Claim VAT refunds from EU countries after Brexit <p>If your business currently uses the UK VAT MOSS Union scheme, in the event of no-deal you can continue to use the MOSS system but must register for the VAT MOSS non-Union scheme in an EU member state.</p>	

CURRENCY/INTELLECTUAL PROPERTY/CONTRACTS

Area	Context	To consider/ Take Action	Y/N
Contracts review	Some of the terms in existing contracts may no longer be relevant post- the end of the Brexit transition period or may raise legal or practical questions in future.	Do your contracts refer to any terms that should be reviewed in light of the UK leaving the EU? Do they make references to the UK being a Member State/to the EU? Does your contract rely on EU regulation applicable to contractual arrangements? UK Government technical notice on civil legal cases can be found here .	
Currency risk	The months following the EU referendum saw significant currency volatility – this may occur in future.	What currency are you being paid in? Have you considered the possibility of further currency movements, and how this might affect existing and future contracts? Your local Chamber can give you recommendations for mitigating these risks.	
Intellectual Property	It is unclear whether trademarks registered in the EU would be applicable to the UK in the future.	Do you own any Intellectual Property rights? Have you contacted trademark bodies / solicitors / IP advisors on how to protect your intellectual property?	

REGULATORY COMPLIANCE/ DATA PROTECTION/ ACCOUNTING

Area	Context	To consider/ Take Action	Y/N
Accounting	UK businesses with a branch operating in the EU will become a third country business in the event of no-deal. This will mean complying with the accounting and reporting requirements of each country.	Review and consider this official guidance here .	
Competition policy and state aid	After the end of the Brexit transition period, the role of ensuring fair competition in UK markets (including state aid) will fully transfer to British regulators and agencies. This could result in differences to the current approach – for instance on approvals for mergers and acquisitions.	The Competition and Markets Authority (CMA) has published guidance on the functions of the CMA after the end of the Transition Period which can be found here .	
eCommerce	UK companies retailing to consumers or trading ‘information and data services’ (e.g. video sharing, social media platforms and internet service providers) across the EU are likely to face changes to their regulatory environment.	<p>Do you know if the EU’s eCommerce Directive is relevant to your business?</p> <p>Official guidance provides businesses with information about the eCommerce Directive and sets out the Government's approach to contingency planning in the event of no-deal. In this case, although there would be continuity in some areas there would be also be changes – such as the Directive's country of origin principle, which UK companies would cease to benefit from. More here.</p> <p>Does your business operate any websites with a ‘.eu’ domain name registration?</p> <p>DCMS has produced official guidance for companies with existing domain name registrations under ‘.eu’ or an interest in registering a domain name under ‘.eu’ in the event of no-deal. More here.</p>	
EU Regulatory regime and Data protection	Across a number of sectors and regulatory areas, the Government has expressed its intention to maintain status quo arrangements for obtaining licences to trade	Which regulatory agencies do you work with? What steps might you need to take to comply with separate UK and EU regulators in the future?	

	<p>with the EU, and for domestic compliance and enforcement.</p> <p>Firms may need to comply with new license requirements and changes to their competent regulatory authority. There would be no immediate change in the UK's own data protection standards. However, the legal framework governing transfers of personal data from organisations in the EU to organisations in the UK would change on exit.</p>	<p>Government guidance on using personal data after the end of the Brexit transition period can be found here.</p> <p>The Information Commissioner's Office (ICO) has published a checklist of six steps that businesses can take now to start preparing for data protection compliance in the event of no-deal. View this here.</p> <p>More detailed information from the ICO can be found here.</p> <p>UK Government Brexit technical notices on regulation have been published for a number of sectors and cross-cutting regulatory issues. More here.</p>	
UKCA (UK Conformity Assessed) marking	The UKCA (UK Conformity Assessed) marking is a new UK product marking that will be used for certain goods being placed on the UK market if there's a no-deal Brexit.	Information about whether you will need to use the new UKCA marking and how to use it from 1 January 2021 can be found here .	

SECTORS

Area	Context	To consider/ Take Action	Y/N
Preparation by sector	Government has issued the following sector guidance documents which outline preparations for the UK leaving in the event of no-deal.	To search the range of advice published by Government on your particular sector, visit here .	

EUROPEAN FUNDING AND PUBLIC PROCUREMENT

Area	Context	To consider/ Take Action	Y/N
European Funding (including loans by the European Investment Bank Group)	<p>EU monies drawn down by the UK form part of the funding mix for economic development. They include grants and loans from European Structural and Investment Funds (ESIF) and investments made by the European Investment Bank Group (EIBG).</p> <p>They contribute to a wide-range of spending: some are accessed directly by businesses; others help to fund business support services, part-fund town and city-centre regeneration projects or contribute to local investment funds. It is the policy of the UK Government to end the UK's membership of the European Investment Bank Group and to replace ESIF with a post-Brexit 'UK Shared Prosperity Fund'. Legacy projects drawing down EU monies at the time of exit may be covered by a Government guarantee scheme. While the launch of UKSPF was confirmed at the 2020 Spending Review, full details are not expected until Spring 2021.</p>	<p>UK Government summary on EU Funded Programmes under the Withdrawal Agreement can be found here.</p> <p>UK Government have released guidance for those still applying for EU funding and on any funding already been awarded, which can be found here.</p> <p>Heads of Terms for the UKSPF can be found on page 42 of the 2020 Spending Review Document.</p>	
Public Procurement	<p>UK public procurement regulations will remain broadly unchanged. However, businesses will need to use a new UK-based e-notification service to access those UK public-sector contract opportunities that would have been placed in the Official Journal of the EU.</p>	<p>UK Government summary on public-sector procurement after the end of the Brexit transition period can be found here.</p> <p>European Commission notice to stakeholders in field of public procurement here.</p>	