

HMRC Meeting - Update on FTA's – 30th December 2020

Liam Smyth (BCC) chaired the meeting which was attended by HMRC and Chamber staff. There were 98 people in attendance. The meeting was recorded and can be seen here:

<https://web.microsoftstream.com/video/b97ff3aa-7f7e-4464-b3cc-a25c10af3e4b?st=65>

and the link will also be posted on the BCC - Certification Freshdesk site (<https://bcc-certification.freshdesk.com/a/solutions>).

Liam commenced the meeting by introducing Julian Ainley from HMRC (C&BD). Julian gave a brief overview of the UK EU FTA. Julian explained that the tariff was being updated and should be ready for the 1st January. Julian recommended that Chambers refer exporters to the guidance which is being updated on a daily basis on the .gov website. The main sites are listed below:

Introduction to importing and exporting using preference. Page contains links to further guidance.

<https://www.gov.uk/guidance/import-and-export-goods-using-preference-agreements#check-if-theres-an-agreement>

List of countries agreements have been made with including links to the agreements. UK-EUR1's will be used for all the treaties rolled over except for Japan and Turkey.

<https://www.gov.uk/guidance/uk-trade-agreements-with-non-eu-countries>

Rules of Origin guidance

<https://www.gov.uk/government/publications/rules-of-origin-for-goods-moving-between-the-uk-and-eu-from-1-january-2021>

Guidance on claiming preferential rates of duty

<https://www.gov.uk/guidance/claiming-preferential-rates-of-duty-between-the-uk-and-eu-from-1-january-2021>

Guidance on temporary importing/exporting

<https://www.gov.uk/guidance/apply-to-import-goods-temporarily-to-the-uk-or-eu>

Guidance for declaring goods for Northern Ireland using CHIEF

<https://www.gov.uk/guidance/using-chief-for-declaring-goods-into-or-out-of-northern-ireland-from-1-january-2021>

If chamber staff or exporters need to contact HMRC for clarification on the guidance they can do so by email or chat via the links below:

The helpline/webchat <https://www.gov.uk/government/organisations/hm-revenue-customs/contact/customs-international-trade-and-excise-enquiries> which has huge numbers of HMRC people manning it.

Or the Online forums HMRC <https://community.hmrc.gov.uk/forums/customerforums/tp> or Cross Departmental <https://transition-forum.service.cabinetoffice.gov.uk/>

Guidance regarding the agreement with Turkey will be published later today.

The origin of goods being exported to the EU will be done by self-certification via a declaration on the invoice which must include a UK EORI number. For exports from the EU to the UK, EU exporters will use the REX system. This will also be used for goods entering Northern Ireland. The origin declaration will be similar to the UK-Japan agreement.

For Turkey guidance will be issued shortly but exporters will be able to self-certify using an invoice declaration as long as they have a UK EORI number.

Where self-certification via an invoice declaration is used companies will have 12 months from the 1st January 2021 to ensure they have the documentation to prove origin. Long Term supplier's declarations can be used to evidence origin.

Preference can be claimed by the importer and they will need documents to prove the origin when the declaration is made or if using staged declaration, they will have six months to get the documentation evidencing origin.

Preference can be claimed retrospectively using HMRC form C285.

For Northern Ireland if goods qualify for 0% tariff then the goods will not be considered to be at risk.

You will have noted that there is a difference between setting out the facts in policy and guidance and what we will deal with when engaging with our members. Our members will have very specific questions, some of which will not be obviously answered in the policy or guidance text. Please guide members to the chat functions and forums for specific questions that you are unable to answer.

HMRC will reasonably expect that as an approved issuer of preference certificates that our teams will have a degree of knowledge on these matters and will be ready to help to articulate the guidance on behalf of members.

Paul has pulled together a list of links on the guidance as I type this, I encourage colleague across the network to read the ROO guidance in the first instance.

We will convene an early meeting of the Certification Group in the new year to consider changes to our own issued guidance. Remember that fundamentally nothing really changes in respect of preference documents for exports to the EU. We didn't use EUR1's for EU countries before transition and we will not use them afterwards.

What does change is that traders will be required to provide supplier origin statements for EU markets as well as for Japan and Turkey.

Now that we know the future trading landscape we will get to work on the production of new marketing collateral for the network. We need to promote our documentation services and to show how we can help business to trade better with 86 existing markets (inc. EU TA) and with the rest on non-preference terms.