POST BREXIT:

UK – EU: DOING BUSINESS IN THE 'POST-TRANSITION' WORLD THAT BEGAN ON 1 JANUARY 2021

John Shuttleworth

03 January 2021

V 7.0

UK – EU: DOING BUSINESS IN A POST-TRANSITION WORLD

CONTENTS

INTRODUCTION 4

'UK-EU TRADE AND CO-OPERATION AGREEMENT' 24 December 2020 6

- Summary of Substantive Elements in the 1246 page EU draft document 6
- Part 1 – Institutional Provisions 6
- Part 2 - Trade 6
  - The Agreement on Trade includes: 7
  - Aviation 7
  - Road Transport 8
  - Social Security Coordination and Visas for Short-term Visits: 8
  - Fisheries 8
- Part 3 - Law Enforcement and Judicial Cooperation in Criminal Matters 9
- Part 4 – Cooperation 9
  - Cooperation on Health Security: 9
  - Cooperation on cybercrime: 9
- Part 5 – UK participation in EU programmes such as Space exploration and Nuclear Energy 10
- Part 6 - Disputes Resolution 10
- Part 7 – Territorial Scope and Review 10
- Related Agreements 10

RATIFICATION OF THE 'UK-EU TRADE AND CO-OPERATION AGREEMENT' 11

UK-EU: TRADE IN GOODS 13

UK-EU TRADE IN SERVICES 15

UK-EU TRADE IN ENERGY 17

UK-EU TRADE IN AGRICULTURE AND FOOD 18

UK-EU ACCESS TO FISHING GROUNDS AND MARKETS 19

UK - 'REST OF THE WORLD' TRADE POLICY 20

UK – EU DATA EXCHANGE AND PROTECTION 22

UK-EU ROAD HAULAGE 24
UK-EU EUROTUNNEL 27
UK-EU AVIATION 28
NORTHERN IRELAND AND THE 'ISLAND OF IRELAND' 30
Background to Northern Ireland Treaty 32
FUTURE OF GIBRALTAR SETTLED ON EVE OF BREXIT 34
UK - EU BREXIT AND CITIZENS 36
HOW THE 'EU FUTURE RELATIONSHIP' ACT WAS PASSED IN A DAY 38
UK TO PAY £33.4BN TO EU AS 'BREXIT SETTLEMENT' 41
GOVERNMENT ESTIMATES BREXIT MEANS 4.4% REDUCTION IN GDP 43
Summary of findings 44
KEY REFERENCES: 45
ACKNOWLEDGEMENTS: 46
CONTACT: john.shuttleworth@europartnership.com 46

Cover Picture: EU 4 Freedoms crossed by the negotiators 'Red Lines'

Disclaimer: The UK left the EU 'single market' and EU 'customs union' - at precisely 23:00 GMT on 31 December 2020. The compressed timescale meant business lacked the detailed guidance needed to operate seamlessly from 1 January 2021. The Gov.UK website is evolving and readers are advised to monitor the situation closely.

Updates to this booklet will be issued as the situation evolves.

The analysis and highlighting of 'key' elements of Brexit – in particular those taken from the 1255 page 'Agreement' on trade – are mine alone, as are the opinions in the descriptive pages of this guide. They should be used with that caveat in mind.

INTRODUCTION

The UK ended 47-years of membership of the European Union on 31 December 2020.

A 'Withdrawal Treaty' signed between the EU and UK in 2019 settled a few issues: citizens' rights; the UK's financial obligations to the EU on exit and into the future; and detailed long-term arrangements to avoid a 'hard' border between Northern Ireland and the Republic of Ireland.

Then, towards the end of 2019, the Treaty was superseded by the election of a Conservative Government with an 80-seat majority. Their manifesto was for a 'hard' Brexit – which was immediately enshrined into legislation.

The UK left the 'political' union on 31 January 2020 - no longer taking part in the three key decision-making processes of the EU: the European Parliament; the European Council; and the European Commission.

A 'transition period' of 11-months was set by the UK Government to allow time to prepare for full and independent sovereignty. For all practical purposes, throughout the transition period British businesses and citizens have not experienced any practical difference.

At precisely 23:00 GMT on 31 December 2020 – as the clock stuck midnight in Brussels - the UK became a fully independent sovereign state. Since that instant, the UK has been outside the EU 'single market' and the EU 'customs union' – becoming an EU 'third country' to each of the remaining 27 EU states.

Negotiations on the future relationship began between the UK and the European Commission, acting on behalf of the EU. The 'EU-UK Trade and Cooperation Agreement' was concluded on Christmas Eve and 'ratified' by the EU. The 'EU Future Relationship' Act was fast-tracked through UK Parliament in a day – and became law in the early hours of New Year's Eve.

Each side had set out their 'red lines' early in 2020, and the resulting 'deal' is 'thin'. It covers little more than tariff-free and quota-free access for most goods.

The Government warned of 'disruption' as thousands of new processes come into effect overnight. These include new customs checks; regulatory barriers to provision of services and finance; an end to recognition of standards, certification and qualifications of products and services, including financial services; and an end to free movement for citizens and workers to work on a temporary or permanent basis.

On 6 November 2020, the Government Watchdog, the 'National Audit' Office published the fourth of its scrutiny exercises in the state of preparedness across Government Departments and businesses. The NAO reports that neither Government nor industry will be ready in some key respects.

In Europe, the Commission had already published a wide-ranging series of 'preparedness notices' on the future relationship with the UK as a 'third country'. On Christmas Day, they announced a €5 billion grant fund available to member states and businesses across Europe that trade with the UK to support their preparations for - and mitigation of any losses arising from – Brexit.

At the time the UK triggered Brexit in March 2017, nobody could have foreseen the need to respond to the Covid-19 pandemic during the final stages of preparing for transition.

An under-estimated consequence of the 2016 vote, has been the strain on relations between the 4 nations of the UK – and between the UK and its 30 UK's 'Overseas Territories'.

Northern Ireland will operate under a different set of regulations to Great Britain. The 'Protocol on Ireland/Northern Ireland' was part of the 'Withdrawal Act' that has international Treaty status. The principal purpose of the Protocol is to maintain an open border that currently exists between Ireland and Northern Ireland – with unfettered movement of goods and people on the island of Ireland. Key to the implementing the Protocol is the introduction of a new regime of checks and controls for goods moving both from Great Britain to Northern Ireland – and, vice versa, from Northern Ireland to Great Britain.

On New Year's Eve, the UK Government reached a bi-lateral agreement with Spain on the future relationship between Gibraltar and the European Union. Broadly similar arrangements to the Northern Ireland protocol came into effect on 1 January 2021 – and the land border across which 15,000 workers pass daily to work in the British Overseas Territory remains open. Gibraltar becomes a member of the EU 'Schengen' free movement zone.

The EU has granted 4 short-term 'grace periods' to the UK – all in areas that would hurt Europe if UK business is not fully operational from 1 January. It was always the case that the EU's priority was to limit damage to European nations, businesses and citizens.

Prime Minister, Boris Johnson, maintained that the UK has a bright future and will thrive in the new relationship. This is not the view of experts, academics, business and the Government's 'Office of National Statistics'. Whilst all accept that even a 'thin' deal is better for UK businesses and citizens than 'no-deal', time will tell.

This digest focuses on the changes needed to do business in a post-transition Brexit era. Essential if the country is to recover the anticipated reduction in GDP and achieve the brighter long-term future as an independent sovereign state by 2035 – the year that economists predict UK 'break-even' compared to continuing full membership of the EU.

The ONS has calculated that the UK must pay the EU a sum of £33.4 billion under the Brexit cash settlement terms agreed and set out in the 'Withdrawal Treaty'.

John Shuttleworth

‘UK-EU TRADE AND CO-OPERATION AGREEMENT’ 24 December 2020

Summary of Substantive Elements in the 1255 page EU draft document

Part 1 – Institutional Provisions

- The relationship between the UK and the EU will be based on in ‘international law’ and not ‘EU law’. A joint ‘Partnership Council’ will ‘supervise’ the Agreement.

Part 2 - Trade

- The Agreement establishes ‘zero tariffs or quotas’ on trade between the UK and the EU where ‘goods meet the relevant rules of origin’.
- The EU may apply ‘preferential tariff rates’ e.g. non-UK components in UK manufactured products such as electric cars that support a move towards a carbon ‘Net Zero’ future.
- ‘EU inputs and processing’ may be counted as ‘UK input’ in UK products exported to the EU - and vice versa under ‘Rules of Origin’.
- The Agreement ‘envisages’ arrangements to share information on dangerous and non-compliant products on the UK and EU markets.
- There are Annexes detailing specific arrangements for: medicinal products; motor vehicles, equipment and parts; ‘organic’ products; wine; and chemicals.
- Provision for ‘rapid notification and emergency measures’ to ‘protect consumers, animals and plants during disease and pest outbreaks’ and ‘food and feed safety incidents’.
- The Agreement ‘ensures that the customs authorities of both Parties remain able to protect their respective regulatory, security and financial interests’. There will, however, be ‘mutual recognition’ through ‘trusted trader’ schemes - aiming to support: efficient documentary clearance, transparency, advance rulings and non-discrimination. There may be measures in the longer term to promote ‘cooperation at roll-on roll-off ports like Dover and Holyhead’ aimed at reducing administrative burdens on business - such as sharing import and export declaration data.
- An Annex provides for the mutual recognition of the Parties’ respective ‘Authorised Economic Operator’ (AEO) security and safety schemes. AEOs will face ‘fewer’ controls relating to safety and security when moving their goods between the UK and the EU.
- The EU and UK will both comply with existing international agreements such as the OECD ‘Convention on Mutual Administrative Assistance in Tax Matters’. UK and EU authorities will cooperate and exchange information relating to VAT for the purpose of combating VAT fraud. Either Party may request the other to recover unpaid customs duties, excise or VAT on its behalf.

The Agreement on Trade includes:

- provisions on 'cross-border trade in services and investment' that will secure continued market access across a broad range of sectors, including professional and business services, financial services and transport services - and will support new and continued foreign direct investment;
- a framework for 'the recognition of professional qualifications between the Parties' - based on the EU's recent FTA agreements;
- provisions on authorisations, access to and use of telecoms networks, interconnection, fair and transparent regulation and the allocation of scarce resources;
- provisions on 'authorisations, access to and use of telecoms networks, interconnection, fair and transparent regulation and the allocation of scarce resources';
- promotion of trade in 'postal and delivery services';
- commitments on non-discriminatory access to ports; use of port infrastructure; use of maritime auxiliary services such as storage and warehousing; customs facilities; and the assignment of berths and facilities for loading and unloading;
- protections to ensure 'regulatory and supervisory authorities will be able to act to ensure financial stability, market integrity and protect investors and consumers';
- UK solicitors, barristers and advocates having the right to advise their clients across the EU on UK and public international law;
- cooperation on 'digital trade issues', including emerging technologies;
- commitments on the 'free flow of capital and payments for goods and services in order to facilitate trade and investment';
- mechanisms for 'cooperation and exchange of information' on Intellectual Property issues;
- requires both sides to be transparent about the subsidies they grant. Either side may 'take rapid action where a subsidy granted by the other Party is causing - or is at serious risk of causing - significant harm to its industries';
- commitment of both Parties to 'uphold global standards on tax transparency and fighting tax avoidance';
- reciprocal commitments 'not to reduce the level of protection for workers or fail to enforce employment rights in a manner that has an effect on trade';
- reciprocal commitments 'not to reduce the level of environmental or climate protection' - this includes meeting 'cross-economy greenhouse gas emission reduction targets'.

Aviation

- Majority owned and controlled UK airlines as at the end of December 2020 may continue to operate air transport services between the UK and the EU. Majority owned and controlled EU/EEA/EFTA airlines may continue to operate air transport services between the UK and the EU.

- There is a framework for future 'cooperation on aviation safety'. These will be detailed in a series of Annexes on such matters as airworthiness certification.

Road Transport

- Operators will continue to be able 'to move goods to, from and through each other's territories with no permit requirements, and make additional movements within each other's territories'.
- Standards apply to international journeys – including 'restrictions on driver hours, requirements about professional qualifications and tachographs and vehicle weight and dimension limits'.
- Passenger transport operators continue to be covered by the multilateral 'Interbus Agreement' – and will be able to run 'occasional services to, from and through each other's territories'.
- Passenger transport services on the island of Ireland will be able to pick up and set down passengers in both Ireland and Northern Ireland - enabling 'cross-border services to continue with no restrictions'.

Social Security Coordination and Visas for Short-term Visits:

- Workers and employers are only liable to pay social security contributions in one state at a time. 'Generally, this will be in the country where work is undertaken';
- where the UK or an EU Member State is responsible for the healthcare of an individual, they will be entitled to reciprocal healthcare cover. Healthcare provisions – akin to those provided by the European Health Insurance Card (EHIC) scheme – continue;
- the UK will treat the each of the EU 27 states 'as though they are a single bloc' with respect to 'short-term visit visas'.

Fisheries

- The UK's leaves the EU's Common Fisheries Policy. It has a 'new identity as a sovereign independent coastal State' with 'the right to manage the resources in its waters';
- UK and EU share a 'commitment to sustainable fisheries management' alongside shared principles of 'promoting long-term environmental, social and economic sustainability';
- Whatever value of fish is caught by EU vessels in UK waters, British fishers will be allowed to catch 25% in value of that sum in EU waters;
- the new quota arrangements will be phased in over five years to allow the respective fleets time to adapt to the changed 'opportunities';
- a specialised 'Committee on Fisheries' will provide a forum for the UK and the EU to discuss and cooperate on a range of fisheries matters. These include, but are not limited to: cooperation ahead of annual fisheries consultations, multi-year strategies, data-sharing and monitoring and compliance;
- EU vessels may fish in 'Crown Dependency waters to levels consistent with historic patterns of fishing';
- the Agreement can be terminated at any point with nine months notice.

Part 3 - Law Enforcement and Judicial Cooperation in Criminal Matters

- DNA and fingerprint data will continue to be exchanged through the Prüm system;
- the Agreement: enables the exchange of vehicle registration data in the future; provides for transfers of Passenger Name Record data from the EU to the UK; and information sharing 'in response to requests', as well as the 'spontaneous provision of information, including that which relates to wanted and missing persons and objects';
- the Agreement does NOT: provide for the UK to continue membership of either Europol or Eurojust. It is possible that the UK may be allowed to 'second' liaison officers to each of Europol and Eurojust.
- the Agreement means that the UK is no longer a member of the EU-wide 'arrest warrant' scheme, but will have extradition arrangements, similar to the EU's 'Surrender Agreement' along with Norway and Iceland;
- the Agreement 'supports effective cooperation on mutual legal assistance in criminal matters';
- the Agreement provides for the 'fast and effective exchange of criminal records data between the UK and individual EU Member States';
- the Agreement 'commits the UK and EU to support international efforts to prevent and fight against money laundering and terrorist financing';
- the Agreement 'supports effective cooperation on asset freezing and confiscation'.

Part 4 – Cooperation

Cooperation on Health Security:

- the Agreement supports effective arrangements and information sharing between the UK and the EU in the event of a serious cross border threat to health - particularly important in the context of Covid-19;
- the EU may invite the UK to participate in the EU Health Security Committee to support the exchange of information and facilitate coordination in relation to specific serious cross-border threats to health.

Cooperation on cybercrime:

- the Agreement provides a framework for UK-EU cooperation in the field of cyber security;
- the UK may voluntarily participate in the activities of expert bodies including the European Union Agency for Cybersecurity (ENISA) and the Network and Information Systems (NIS) Cooperation Group. It may voluntarily cooperate with the EU's Computer Emergency Response Team (CERT-EU).

Part 5 – UK participation in EU programmes such as Space exploration and Nuclear Energy

- The Agreement sets out the arrangements for any UK participation in EU programmes and 'access to programme services' – including 'how the UK's financial contribution will be calculated'.
- The UK has stated its intention to participate in: 'Horizon Europe', 'Euratom Research and Training', and 'Copernicus'. Details will be added in a protocol to the main Agreement when they have been finalised.

Part 6 - Disputes Resolution

- The Agreement includes 'dispute resolution mechanisms' that are appropriate for a relationship between sovereign equals.
- There is no role for the Court of Justice of the European Union.
- There is restatement by both UK and EU of their existing commitments to 'human rights, the rule of law, the fight against climate change and countering the proliferation of weapons of mass destruction'.
- Both the UK and EU have restated their 'commitment to high personal data protection standards'.
- In the event that 'serious economic, societal or environmental difficulty arises' between them, the UK or the EU may unilaterally take 'strictly proportionate and time-limited measures to remedy the situation'.

Part 7 – Territorial Scope and Review

- The Agreement is subject to review every five years, or should a new country accede to the EU.
- Territorial Scope of the Agreement includes Great Britain, Northern Ireland, Gibraltar, and the 50 Worldwide 'UK Overseas Territories and Crown Dependencies'

Related Agreements

- The UK and the European Atomic Energy Community (Euratom) have agreed a separate Nuclear Cooperation Agreement (NCA).
- An Agreement on 'Security Procedures for Exchanging and Protecting Classified Information' will supplement the Trade and Cooperation Agreement.

RATIFICATION OF THE ‘UK-EU TRADE AND CO-OPERATION AGREEMENT’

In the UK, Parliament was recalled for a day – 30 December 2020 – in order to pass legislation required to implement the draft agreement ‘Trade and Cooperation Agreement’, reached between the UK and European Union on Christmas Eve.

Without this ‘ratification’ the UK would have left the EU at 23:00 GMT 31 December 2020.

Before any international agreement can be ratified, the Law requires ‘21 Parliamentary sitting days’ – allowing time for scrutiny and open discussion. As the Government ‘concluded’ negotiations on a trade deal only on 24 December – it decided to ‘bypass’ the requirements of the ‘Constitutional Reform and Governance Act’, 2010.

The ‘European Union (Future Relationship) Bill’ completed all of the 12 Parliamentary stages through the House of Commons, House of Lords, Committees, and Royal Assent in one day.

A cross-party House of Commons ‘Committee on the Future Relationship with the EU’ had worked through the night and published- in a unanimously agreed report – an initial assessment of the 1,246-page draft ‘Agreement’ as an briefing for MPs overnight. The report’s key findings include:

- Having an agreed deal in place is better than no deal. The Committee welcomed an outcome that “ensures UK businesses and consumers will not face the prospect of tariffs from 1 January. Considering the interconnectedness and geographic proximity of the two markets, and their common interests, the importance of the agreement should not be underestimated.”
- Significant change is still coming on 1 January. The Agreement “does not preserve current trading arrangements. It is therefore critical that the Government is clear in its communications to businesses, traders and communities about the terms of the deal and its implications.”
- Both sides should implement the Trade and Cooperation Agreement – and get on with addressing the remaining uncertainties. The Committee urges “both sides to proceed with implementation and establish the new institutional arrangements set out under the Agreement. Priority should also be given to outstanding areas of uncertainty, such as equivalence for financial services and a data adequacy decision.”
- The Committee calls on the “relevant authorities on both sides to support businesses through the implementation of new arrangements, rather than punishing them for unintended non-compliance.”
- The “compressed timetable for ratification is concerning”. The complexity of the Agreement means that it will take more than a day for its contents and implications to be fully understood. MPs “have been left with very little time in which to read the TCA and the accompanying Future Relationship Bill and reach a judgement on their contents.” The Bill will not be subject to detailed scrutiny before a vote.

Prime Minister, Boris Johnson, chose not to wait for Parliament to complete even the accelerated 12 stage constitutional process of turning the 'Bill' into an 'Act' of Parliament. He signed the Treaty with Europe immediately after the House of Commons vote at 16:00 – effectively at stage 4 of 12. He tweeted: "By signing this deal, we fulfill the sovereign wish of the British people to live under their own laws, made by their own elected Parliament."

Parliament duly completed due process ending with the House of Commons Speaker, Sir Lindsay Hoyle, informing MPs that the 'European Union (Future Relationship) Act 2020', ratifying the UK's trade deal with the EU, been granted royal assent by the Queen in the early hours of New Year's Eve.

The Act came into force later that day at 23:00 GMT on 31 December 2020.

Meanwhile, the EU has similarly not constitutionally been able to 'fully ratify' the Agreement in the time available. The European Parliament will not vote until the New Year. Instead, the 27 Member State governments agreed on 29 December 2020 – to 'provisionally' apply the deal - pending the consent of the European Parliament in the New Year.

The Treaty was, accordingly, signed on 30 December 2020 on behalf of the EU by European Council President, Charles Michel, and European Commission President, Ursula von der Leyen,

A Royal Air Force plane immediately transported the text from Brussels to London for counter-signature by the Prime Minister.

UK-EU: TRADE IN GOODS

On 1 January 2021, the UK left both the EU 'single market' and 'customs union' – and became a member of the 'World Trade Organisation' in its own right.   Wherever no free trade deal is in place, the trade terms for goods – including tariffs and quotas – will be determined by WTO rules.

There is a draft trade deal which – if ratified - with the remaining 27 EU states. This allows for tariff and quota free trade between the UK and EU from 1 January 2021.

At the time of writing there are 'roll-over' deals with 24 of the existing set of EU trade deals – meaning no advantage or disadvantage to UK business or economy from the present. A further 18 of EU deals remain to be negotiated – a significant disadvantage to UK business.

It is a condition of WTO membership that discrimination in the 'terms of trade' between WTO members is not allowed. As deals are struck, the UK must apply the terms of the "most favoured nation" to the 159 WTO member states.

The UK Government has published its 'UK Global Tariff' schedule that will apply from 1 January 2021. For non-EU countries the schedule means an overall small reduction in tariff rates compared to the EU's 'Common External Tariff' schedule that presently applies.

The UK-EU deal means no tariffs or quotas provided that 'Rules of Origin' can be met and proven – that is, all the components and added-value services within goods originate within the UK or EU.

There are presently no 'non-tariff barriers' to trade between the UK and EU. From January, non-tariff barriers will mean higher costs of doing businesses – and, inevitably, higher prices for consumers. New barriers include:

- regulatory, administrative, safety, technical and other checks on goods – for instance requirement to use the new UKCA mark in addition to - or as a replacement for - the EU's 'CE' (Conformite Europeene') marking scheme from 1 January 2021;
- administrative and reporting procedures - such as completing customs declaration forms - even though the goods are subject to zero tariff.

'Make UK' estimates that UK firms will need to complete an additional 225 million customs declarations – increasing administrative costs by around £15 billion according to HMRC estimate.

Checks on goods cause delays at the border. Sectors that operate ‘just-in-time’ supply chains will be disrupted. Honda estimates that even a 15-minute delay at the border would add around £850,000 to their costs per year. Food and pharmaceutical sectors are especially vulnerable to delays.

A six-hour trial of the new border systems and procedures by ‘Police Aux Frontières - the French equivalent of Border Force - on 24 November led to 5 mile queues of lorries on the M20 as they attempted to enter the Eurotunnel entrance near Folkstone.

Michael Gove, warned on 28 December that there will be some friction and disruption as multiple new processes, systems, regulations and requirements are introduced.

Regulatory controls in international trade, ensure that products moving across markets conform to local technical, safety, hygiene and legal standards. The UK has declared that it does not wish to stay aligned with EU regulations - rather that it is seeking an agreement on ‘mutual recognition of conformity assessment’. This will allow UK regulators to certify that UK goods meet EU standards - avoiding the need for duplicate checks. No-deal – or no agreement on this matter in a ‘thin’ deal – requires businesses to ‘double-certify’ their goods in the UK and EU – even when UK and EU regulations remain identical. This is a major concern in many sectors such as aerospace, chemicals and pharmaceuticals.

Throughout 2020, the Government has been using a device introduced by ‘Henry VIII’ to by-pass Parliament – adding between 3-6 ‘Statutory Instruments’ per working day.

Some 600 Statutory Instruments come on top of 8 full Parliamentary ‘Bills’ and ‘Acts’ that, when taken together, address gaps in UK domestic regulations previously covered in EU Law.

This work will be incomplete as at 31 December, leaving the UK and its citizens exposed in some key aspects of life. Rather than identify gaps that could be exploited by criminal or unscrupulous activity, we can illustrate using some of the potential ‘issues’ that have been dealt with by Statutory Instrument as recently as November 2020: firearms; goods vehicle exhaust emissions; organic and genetically modified organisms.

UK-EU TRADE IN SERVICES

All UK based 'services' businesses face new – and significant- barriers to trade between the UK and EU. This is true for both 'financial' and 'non-financial' services.

Those services that are 'regulated' – especially legal and financial services - are most exposed to potential changes in single market access. Larger firms in these sectors developed - and have been increasingly implementing - no-deal mitigation plans. Parliament has expressed concerns that smaller firms have had the capacity to implement such plans - particularly as they have been focussed on dealing with the consequences of the Covid-19 pandemic.

Financial Services generate 7% of the UK GDP – with a quarter of this coming from EU-related business. They 'passport' their services across the EU – as a firm authorised to undertake activity by the appropriate regulator in one EU member state is allowed to conduct the same business throughout the EU - and the even wider European Economic Area (EEA) with no further authorisation required. Around two-thirds of UK financial services that are supplied to the EU are delivered from a UK base.

'Passporting' has been key to the continued success in UK financial services exports. As a 'third' country from 1 January passporting ends – to be superseded by the less advantageous regime known as 'equivalence'. Equivalence – if granted at all – enables third country financial firms to conduct some specific types of transactions within the EU on the strength of compliance with UK regulation. The decision rests on the EU deciding that the UK regulation in the UK is 'equivalent' to that in the EU.

Although technically unrelated to a 'deal' regarding 'goods', the EU has signalled reluctance to finalise equivalence assessments before the conclusion of trade-deal negotiations. In August 2020, European Commissioner for Financial Services, Valdis Dombrovskis, stated that the EU was not able to conclude all equivalence assessments – citing changes in EU regulation preventing such decisions being finalised.

In any event, 'equivalence' does not provide the same level of market access as 'passporting'. Core banking services, such as lending and deposit taking, cannot secure access to the EU single market through equivalence.

Equivalence provides less certainty for companies - the EU can revoke its decision to grant equivalence be giving with only 30 days' notice. Whilst the UK is looking for "transparency and appropriate consultation in the process of adoption, suspension and withdrawal of equivalence decisions", in September 2020 the Bank of England reported to Parliament's Treasury Select Committee that obtaining equivalence agreements would come at the cost of not being able to control financial services regulation domestically within the UK.

An EY insight report, published in October 2020, highlights the number of financial services firms that have already begun to enact no-deal Brexit plans by relocating parts of their business to EU cities – notably Paris, Frankfurt, Dublin and Amsterdam – in order to maintain

single market access. This makes corporate business sense, but it raises questions about the long-term economic implications of Brexit for the UK - given the country's economic reliance on financial services. They have tracked the over 7,500 jobs lost to the UK and relocated into Europe – and declarations of over £1.2 trillion assets transferred from the UK into the EU since 2016.

The impact on employment of relocations is hitting London, but also regional centres where expertise in financial services has been growing and providing high-tech jobs, such as Glasgow and Edinburgh. For example: Scottish Widows transferred its European portfolio to a new legal entity in Luxembourg in March 2019; Standard Life Aberdeen has opened portfolio management and distribution services in Dublin to service EU clients; and Royal Bank of Scotland began operating a banking entity in Amsterdam in March 2019 from where it will serve non-UK customers across the EEA.

Regarding 'non-financial' services – again, not included in the scope of a trade-deal - the UK is seeking an understanding with the EU in order to assist businesses looking to provide such services beyond 1 January:

- 'mutual recognition' of professional qualifications. Until 31 December 2020, UK professional qualifications held by individuals working in a defined range of sectors - including lawyers, architects and medical professionals – will be recognised across the EU, and vice versa. EU nationals qualified to practice in any EU state, may work anywhere in the EU. If mutual recognition ends in December, it is for the 27 individual states to decide their own positions on professional qualifications. This will be both costly and severely limit the opportunity to bid for contracts across the EU. Some larger firms in regulated professions, such as legal services, have already 'requalified' their staff with EU qualifications in order to maintain single market access;
- 'visa-free travel' for short-duration business visits between the UK and the EU. Without an agreement on this, service-based businesses - such as management consultancy, and firms engaged in project-oriented work in IT and engineering - may have to navigate the specific visa requirements - and their associated fees - required by each of the 27 individual member states. In any event, as third-country nationals, UK citizens will only be allowed to spend 90 days in any 180-day period within the EU 'Schengen' area; and
- rights of establishment. There will be increased regulatory clearances and associated costs for UK services firms seeking to establish operations in the EU as such rights are restricted for third countries. Each of the 27 EU member states can set regulations on the nationality or residency of directors and/or limits on the amount of equity held in the UK as a 'third' country.

Services are outside the scope of EU trade agreement. An 'understanding' between UK and EU needs to be concluded in the coming weeks.

UK-EU TRADE IN ENERGY

The UK electricity market is presently integrated with most other EU states - forming a single market for trading electricity. This is optimised to allocate electricity balancing demand and production across the single market – arrangements described in a 2017 government paper that will 'ensure lower prices and improved security of supply … reducing the need for domestic back-up power.'

Article 17 of the UK's proposed 'Energy Treaty', seeks to keep the UK market coupled with the EU - and proposes even deeper coupling in future. However, refusal by the UK to sign up to the EU law would lead to 'decoupling' from the EU internal energy market - as is the case with Switzerland.

Research commissioned for the National Grid forecast that even with a 'deal', the combined impact of the loss of market coupling and balancing capacity and supply services will add £240-260 million to the UK energy bill – findings endorsed by independent academic analysis.

The UK has requested observer status in two EU energy agencies: the 'Agency for the Cooperation of Energy Regulators', and the 'European Network of Transmission System Operators for Electricity'. The UK also wishes to set up an Energy Cooperation Group - led by a UK minister and member of the Commission - to manage the energy part of any treaty. 'No-deal' would rule out these forms of regulatory cooperation.

The impact on the island of Ireland adds a whole new level of complexity. Presently, all energy imports to - and exports from - Ireland transit through Northern Ireland.

As long as the UK and Ireland were each members of the EU, a Single Electricity Market operated with no issues. The Withdrawal Agreement addressed energy in the Northern Ireland/Ireland Protocol. Article 9 of the Protocol states that relevant EU law applies to Northern Ireland 'insofar as they apply to the generation, transmission, distribution, and supply of electricity, trading in wholesale electricity or cross-border exchanges in electricity'.

If the UK was is no longer participating in relevant EU bodies and agencies, such as 'Eurelectric' and 'Eurogas' – or, if there is no UK–Irish bilateral engagement in this area - practical, legal and regulatory issues arise, for instance if the UK Emissions Trading System is not linked to the EU Emissions Trading System.

UK-EU TRADE IN AGRICULTURE AND FOOD

The EU is presently the UK's main trading partner in agri-food - accounting for over 70% of UK imports and 60% of its exports.

The Trade Agreement means that UK agricultural exports are not subject to the EU's Common External Tariff – a regime that is designed to be highly protectionist for EU farmers. Food imports into the UK not covered by a trade agreement will be subject to the new UK Global Tariff regime - designed, amongst other things, to protect UK domestic agricultural production.

Non-tariff barriers: primarily impact exports from the UK. They include rules of origin requirements, organic certification and the rules covering 'geographical indications' (governing protected names or symbols to indicate a specific geographical origin.

New 'rules of origin' and product specification checks, certification and reporting come in on 1 January for chemicals, fertilisers, sanitary and phytosanitary goods – along with customs declarations and border checks as goods move between the UK and EU.

Non-tariff barriers will add further to farming costs and, ultimately, consumer prices. Independent research and Defra arrived broadly similar estimates of 4% increase in UK food prices.

The present EU Common Agricultural Policy – with its subsidy payment to farmers that is directly related to the acreage of land that they own - will be replaced.

In England, the Parliament passed the 'Agriculture Act' on 11 November 2020. It will phase in a radical change to farm subsidies - linking payments to the provision of 'public goods' - such as water quality, natural flood management or soil quality. Details of the proposed '3-tier' subsidy system that depends on how long a farm improvement scheme will take to bear fruit – 1 year, 3-5 years, and 5-15 years plus – are awaited.

Scotland - through its own devolved 'Agriculture (Retained EU Law and Data) (Scotland) Bill', proposes to continue a 'CAP-style' payments support subsidy beyond 2020.

The Ireland/Northern Ireland Protocol in the Withdrawal Treaty requires farms in Northern Ireland o continue to comply with a range of EU rules and regulations. Northern Ireland exports a high percentage of its raw milk for processing in the Irish Republic - a high proportion is then 're-imported'. This is a stark illustration of how the Internal Market Bill - should it be invoked under no-deal - will cause severe trade disruption between the two.

UK-EU ACCESS TO FISHING GROUNDS AND MARKETS

Fishing has limited economic significance for either the UK and EU – accounting for less than 1% of GDP and employment. However, the industry is highly symbolic – graphically representing who has control and ownership of the vast sea area that surrounds an island nation. Both sides established firm 'red lines' - and it remains a key point of difference at the end of the nine rounds of negotiations.

Whilst EU fishing boats presently take the largest quota of fish caught, the UK fishing industry depend on access to EU markets to sell their fish - particularly true of shellfish. UK consumers prefer fish species caught in EU waters - rather than the herring and mackerel caught in UK waters – and face higher prices in a market constrained by quotas and tariffs.

Any delays in cross border traffic – in either direction – will impact all time-sensitive fresh products.

The UK will need to step up fisheries enforcement if EU fishing boats continue to fish in UK waters. International Law with regard to territorial waters and rights over it are considerably less defined than for trade in goods – and the mechanism to solve any dispute arising in the event of 'no-deal' will grind slowly.

The Agreement establishes new quota arrangements that will be phased in over five years to allow the respective fleets time to adapt to the changed 'opportunities'.

There has already been anger from fishers on both sides - which, if they lead to direct action, will add to disruption and delay in ports impacting all other goods movements.

UK - 'REST OF THE WORLD' TRADE POLICY

Since leaving the EU on 31 January 2020, the UK Government has been free to prepare for trade arrangements to take effect from 1 January 2021 – at the end of the 'transition period'. It has taken a '3-step' approach to trade deals:

- nine rounds of formal negotiations – plus extensions – between the UK and EU led to the parties announcing on 24 December 2020 a draft 'trade deal in goods' to come into effect on 1 January 2021;
- negotiating 'continuity' or rollover agreements with countries that presently have preferential trading deals with the EU - and whose benefits will be lost at the end of transition; and
- negotiating with countries - including the United States, Australia and New Zealand – that presently do not have comprehensive free trade agreements with the EU.

About half of the target rollover deals have been concluded – although there has been no discernible additional benefits to UK business or the economy from any of them. It does provide some reassurance of continuity for presently businesses trading overseas beyond the EU. For example:

- the UK-Switzerland agreement covers trade in goods and government procurement;
- the UK-South Korea agreement is more extensive, covering trade in goods and services, intellectual property and government procurement; and
- the recently agreed UK-Japan deal covers trade in goods, services, government procurement, intellectual property, and state aid.

Note that the ability of UK manufacturers to benefit from these deals may be affected by whether there is a deal with the EU. If there is no-deal, manufacturers may not be able to count EU inputs as 'local content' - as they presently do - to qualify for preferential tariffs. Problematic for those with extensive cross-border supply chains.

There is no agreement in place with Canada - which did not agree to a simple rollover arrangement.

There is no prospect of an early agreement with the United States - the UK's most important trading partner after the EU, receiving almost 16% of UK goods exports in 2019. The focus on Covid-19 and the upcoming Presidential election have meant that trade negotiations with the UK have taken a back seat.

The 'transition' period was intended to allow the UK to complete all necessary preparations to become an independent state by 31 December 2020. In trade talks, negotiators have reported difficulties in running multiple sets of negotiations simultaneously. Most future potential trading partners are reluctant to accept commitments from the UK before the outcome of the UK-EU negotiations is known. At best, UK businesses can hope for rollover agreements covering most of their present trade outside Europe, and WTO arrangements for the rest of the World.

UK – EU DATA EXCHANGE AND PROTECTION

During its time as a member of the EU, the UK The UK enacted the bloc-wide data protection legislation - General Data Protection Regulation, or GDPR – adopting the shared strict standards for handling and security of personal data that can lead to the identification of a living person: names, payroll details, scanned personal document, IP addresses, and more. This means a common starting position for negotiations on mutual 'adequacy' of each other's regimes.

On 2 October 2020, the government updated its advice to businesses looking to the end of the transition period: "After the end of the transition period, GDPR will be retained in UK law and will continue to be read alongside the Data Protection Act 2018".

Almost every business today is touched by digital technology and, more often than not, without knowing where data communications, storage and processing services are performed on their behalf. Many IT services operate across the UK-EU borders for operational and regulatory reporting requirements. Data flows drive both internal and partner supply-chain and business services through cloud-based file storage systems, email and data exchange. Data exchange is fundamental for 'data-intensive' service businesses such as banking and insurance. It is critical to international policing, criminal justice systems and medical safety.

The UK has stated that, as of the end of the transition period, EU data privacy protection equates with the UK and data flows should be allowed from the UK to EU and EEA countries without additional regulatory checks. However, there is more concern for data flows in the other direction. Without an 'adequacy' being added to the agreement:

- data flow from the EEA to the UK will be possible - but will require additional legal safeguards, such as Standard Contractual Clauses. These add to costs to business as the companies on each side of the data flow need to have prior agreement in writing; and
- the UK's Border Force will no longer receive automatic alerts when an individual wanted by an EU law enforcement agency tries to enter the UK from the EU. There are no automatic rights for UK authorities to access information held in the EU criminal justice system.

There are a number of potential barriers to securing a data adequacy agreement from the EU:

- the UK shares security data with non-EU countries that do not have adequacy agreements with the EU, notably Australia. It seems unlikely that the EU would grant adequacy to the UK if there was the possibility that personal data may be passed on to other third countries with which no such adequacy agreement is in place;

- the Withdrawal Act 2018 transposed most EU law into UK law, however, the EU's Charter of Fundamental Rights was not retained. The right to data protection is, therefore, no longer a fundamental right in the UK – a significant difference to the EU's commitment to the protection of its citizens' personal data within the GDPR; and
- challenges to the validity of safeguards for data transfers to 'third' countries. On 16 July 2020, the EU Court of Justice invalidated the EU-US 'Privacy Shield' - which had been the main legal mechanism for data transfers from the EU to the US. This demonstrates that the EU is not prepared to compromise data protection for economic expediency – and means that reliance on SCCs by UK businesses may not be an acceptable work around. There are fundamental differences between the EU's approach to data regulation - which privileges the protection of citizens' personal data – and, for instance, the US approach which places more emphasis on the ability to undertake surveillance. How the UK positions itself between these two positions will determine the governance and future size of data flows between the UK, the EU and the rest of the world – and whether an adequacy agreement can be reached at all.

UK-EU ROAD HAULAGE

An overwhelming majority of goods ship between the UK and EU by road. Haulage companies have constantly prompted the UK government to agree an 'open market' – where:

- UK and EU operators are allowed to provide services in each other's territories without quotas - perhaps using a form of mutual recognition for authorisation of operators;
- Drivers authorised in the UK could work in the EU and vice-versa on a similar basis; and
- 'minimal' additional bureaucracy – such as paperwork, reporting, costs, checks - and delays at border crossings.

Hauliers have been preparing for the significant new requirements for systems and paperwork at borders and checks at every EU border - and now the 'border' between mainland Britain and Northern Ireland.

Business models must adapt from 1 January 2021 to accommodate:

- the requirement for UK hauliers to secure a permit to operate in the EU (EORI); additional regulations on route planning between the UK and the EU; and
- the reintroduction of border controls with new reporting requirements via a new IT system that is being developed as at October 2020.

The UK would have prefered an arrangement similar to the 'bilateral road transport agreement' between the EU and Switzerland that covers both road and rail transport. This allows operator and driver licenses to be recognised both by the EU and Switzerland. It includes provision for harmonisation of technical and safety standards - for instance, certification of roadworthiness.

The UK would like to allow UK operators flexibility on pick-ups within the EU. This makes operational and economic sense for hauliers, especially when 'back-loads – known as 'cabotage' – can be transported rather than an 'empty' return journey. A very limited level of cabotage will be allowed, the details of which are yet to be released.

The EU is insisting that some 'single market' rules apply before granting UK operators the freedom to operate within the EU without, for instance, double monitoring of driver working hours and rest periods. It is aimed at ensuring no unfair competition with EU businesses.

A grace period has been allowed during which there will be mutual recognition of goods vehicle driving licences – pending detailed negotiations on the matter. UK citizens' photo-id driving licences will be recognised for work in the EU for periods of up to six months. Channel Island drivers – and those having only a 'paper' version of their licence will need an 'international driving permit'. Check on the gov.uk website as requirements vary per EU member state.

Road haulage companies also require permits to operate trucks in Europe. There are, however, only a limited number of European Conference of Ministers of Transport – 'ECMT' – available to UK businesses. The Freight Transport Association believe that only 2,088 haulage businesses would receive a permit – compared to the 8,348 used in 2019. Larger operators may be able to scale back their operations in line with the number of permits received, but a single operator-haulier who does not receive a permit quota can only turn to domestic business. the Department for Transport has stated that, in issuing permits, greater priority would be given to those firms that made the most cross-channel crossings in order to try to reduce disruption. It is not clear what, if any, prioritisation would be implemented from January 2021 in the event of no trade deal.

There is an increasing risk that, whether based in the EU or the UK, haulage companies at corporate level – and drivers as individuals – will simply consider the risks and costs outweigh the rewards, compared to shipping and driving across the Channel today.

Trucks without the right documents risk "being held at port until the relevant paperwork has been provided, and in some circumstances having their goods seized or destroyed," the government said in the consultation.

Truck drivers who do not comply with the system could personally face a Fixed Penalty Notice of £300 under the government's plan. UK truckers additionally face prosecution and the fine rising £1,000 unless paid within 28 days.

Non-UK drivers will be fined using "a financial penalty deposit notice and would have had to make an on-the-spot payment. If drivers chose not to pay, they would have been at risk of having their HCV impounded." [HCV = Heavy Commercial Vehicle, previously known as an HGV]

The EU earlier contingency planning for no-deal Brexit in 2019 indicated that it would grant temporary access for UK coach and haulage firms to the EU for nine months – provided that the UK reciprocated. Those contingency plans were time-bound and have elapsed. No similar provision has been tabled for January 2021.

The introduction of the Internal Market bill into Parliament in September has significant impact on the haulage industry. Ending the UK's internal 'single market' and introducing a fully functioning international border between Great Britain and Northern Ireland – with goods moving across the Irish Sea treated as though they are goods entering the EU from a 'third' country. Foodstuff, animal products, and chemicals require additional certification, reporting, border checks and controls. Such checks and reporting have never been done before. It requires staffing and training for border officials and certified veterinarians - and for every businesses that sends goods across the border.

The National Audit Office Report, November 2020, found that the plethora of new IT systems - together with upgrades to existing systems – means the UK is not ready for seamless trade with the EU on 1 January. They also found incomplete preparations in port infrastructure, and in recruitment and training of the 600 additional customs officers and border control officers that will be required from day 1.

UK-EU EUROTUNNEL

17% of exporters and 14% of UK importers exclusively use the Eurotunnel for trade. Any dispute related to Eurotunnel is presently handled by the European Court of Justice – and continuation of the ECJ's jurisdiction is unacceptable to the UK government. The 1986 Treaty of Canterbury stipulates that there can only be one legal jurisdiction over the Eurotunnel – yet neither side seems willing to accept the jurisdiction of a 'foreign' court. In the event of no-deal, the legal situation will become obscure. For instance, in the event of an accident in the tunnel and a potential subsequent dispute over insurance payout, it is unclear which legal authority will rule on the case – and legal uncertainty is a major impediment for business decisions. There are no ready alternative routes or capacity for those relying on Eurotunnel.

Other potential regulatory issues include: train driver licences; and to technical and safety matters, such as voltage, signalling, ventilation. The European Parliament has been asked by the European Commission to authorise France to make a bilateral agreement with the UK on the Eurotunnel. The Commission appear to have dropped their insistence on the ECJ keeping its jurisdiction – with the International Court of Arbitration in the Hague suggested as one potential arbiter in conflict resolution.

A short 'grace period' has been included in the draft Agreement – but matters will need to be settled within 3 months.

UK-EU AVIATION

Brexit presents the UK aviation sectors with a complex set of challenges.

Every aspect of the aviation industry is subject to a set of rules and regulations that apply Worldwide – all except for the EU. EU Air transport is governed by its own bloc-wide regime, of which the UK has been a member since 1973. The relationship between the EU and the Rest of the World's air services are governed by a series of 'bilateral agreements'.

The 'European Common Aviation Area' acts as a single technical regulatory authority. The UK sectors operate within the single market in air services – and as such are party to the EU international air services agreements with non-EU countries.

Without a bi-lateral deal in place with the EU, the UK will no longer be a member of the ECAA – and loses the necessary approvals covering EU safety regulations and access to the EU market. UK airlines will no longer be able to fly into the EU – nor, technically, could EU airlines serve the UK.

The EU and the UK each made 'no-deal' contingency plans during the earlier withdrawal negotiations. The EU proposed to extend the validity of aviation safety certificates issued by the European Air Safety Agency – 'EASA' - to UK businesses for aeronautical products, parts and appliances for nine months - and indicated that further extensions could be granted where necessary. The UK Civil Aviation Authority advised that it would recognise EASA certificates, approvals and licences in the UK for up to two years.

These arrangements were designed to preserve basic connectivity in air services. Airlines would be able to fly between the EU and UK - but their access would be significantly reduced. UK airlines would be able to operate services to and from the UK to EU member states - but they would not be able to fly between EU countries as they do now. UK airlines would not be allowed to operate services on domestic routes within the same EU country – or 'cabotage' - as they presently do. Any EU airline would be able to fly to the UK from its home or any other EU member state – but would not be permitted to operate domestic services within the UK. The UK proposed to allow airlines to retain a UK licence irrespective of whether they were controlled by UK or EU/EEA national operator. The EU offered a sixth-month 'grace' period, to allow airlines that wished to retain the rights of an EU airline, but were not already majority owned and controlled by an EU national operator, time to adjust to EU requirements.

In the absence of a deal decisions will be unilateral and – especially given the drastic impact of Covid-19 on the global air industry – likely to favour the interests of their own industries.

The UK has been preparing for the end of the transition period when its airlines will no longer be covered by the EU's international agreements. Bi-lateral rollover agreements are under negotiation to allow UK airlines and aerospace industry to continue to serve non-EU

countries. UK-based operators, such as Easyjet, have 're-assigned' registrations of many aircraft within their fleet to fly under EU national flags.

A short 'grace period' has been included in the draft Agreement to avoid aircraft being trapped 'on the ground' with certification that became obsolete at the moment that the transition period came to an end.

NORTHERN IRELAND AND THE 'ISLAND OF IRELAND'

The border between Ireland and Northern Ireland is more than physical, jurisdictional or legal. Free movement across the border arrangements – along with the 'Good Friday Agreement' have "taken on the mantle of a sacred text, one whose articles are to be dogmatically adhered to…[even if] this was neither its intention nor its practical application" according to an experienced political commentator with personal experience of the issues.

How the post-Brexit arrangements operate between is key to continued peace and wellbeing of the nations on the island. The Withdrawal Treaty recognised the unique relationship between the UK and Ireland – and a 500-page Protocol was integral to the agreement.

The UK and Ireland joined the EU at the same time and people and business have benefitted from living, working and trading under a single borderless regime for more than 45 years.

The Protocol was intended to ensure that this element of the future UK-EU relationship was to be settled by the time of the UK's exit - setting terms that would continue to apply through and beyond transition.

To achieve this, Northern Ireland remains part of the EU's single market for goods - and continues to apply EU rules as they relate to customs and to trade, production and the regulation of goods. On 1 January 2021, people in Northern Ireland trade across the Irish border - and with other EU countries – on the same terms and conditions are it does now. No customs procedures, infrastructure or regulatory checks will be needed on goods being exported to the EU, including across the Irish border.

With no Northern Ireland-Republic of Ireland land border in place, the UK – EU border effectively shifts to become aa border between UK Mainland and the Island of Ireland. Whilst there is no evidence of any threat to peace on the island - or disruptions to law and order - regulatory, reporting, financial and - in the medium term - constitutional friction is inevitable.

Goods entering Northern Ireland from Great Britain need import declarations, safety and security certificates. Animal and plant products additionally need Export Health Certificates and SPS (Sanitary and Phyto-Sanitary) checks. All because there will be no further physical or regulatory checks products can freely enter the EU via Ireland – and thereafter across the other 26 states.

In the event of no-deal, barriers to GB - EU trade will be required around mainland Britain - and thus within the United Kingdom. The wording used in the Protocol itself is that the Joint Committee overseeing the Withdrawal Agreement will decide what goods might be 'at risk'

of movement from GB into the EU via Northern Ireland – and these goods will meet the same strictures as goods moving directly from GB into the EU.

Whether the definition of 'at risk' is broad - as the EU have indicated they would have it - or narrow - as the UK want – now depends on the terms of a 'deal'. 'No-deal' means WTO terms for trade apply on all goods crossing the Irish Sea. The EU 'third country' tariffs will be applied to goods entering NI unless there is incontrovertible evidence that they are for consumption within Northern Ireland – and there is to-date no indication on how this test will be applied. The UK Government plans to define 'at risk' in an upcoming Finance Bill.

There are significant differences in tariffs on some goods between the 'UK Global Tariff' list – published in July 2020 - and the 'EU Common External Tariff' list. The EU is acutely aware that Northern Ireland could become a 'back-door' – importing goods from the Rest of the World wherever UK tariff rates are lower and then freely moving them on throughout the EU.

In the event of no-deal, this risk increases as UK exporters may also be tempted to ship goods into the EU via Northern Ireland. At the very least there will be greater onus on suppliers to prove that enough of a product originated in the UK - and on importers to prove that the goods will remain in the UK – that is, Northern Ireland - to be eligible for a rebate on any tariffs paid.

Goods produced in Northern Ireland face duties on entry to Great Britain is substantially the product of a parts originating in the EU. How this will operate in practice is yet to be decided.

The EU requires physical inspection of 100% of consignments of live animals; 30% of minced meat, poultry meat, dairy products and eggs, and 15% of other meat products entering the EU from non-EU countries. In the event of no-deal, this will apply to goods moving between mainland Britain and Northern Ireland. There is presently no restriction of checks - and consequently no infrastructure to perform such checks nor any trained and qualified veterinary inspectors who could carry out such checks.

A number of well-known agri-food based companies have re-located operations across the Irish border. Others are planning to discontinue selling goods if increased operational costs make products uncompetitive. Retailers have made strong representations to Parliament for clarity and compensation in the event that they are disadvantaged directly due to the Brexit – and consumers in Northern Ireland face price increases, deal or no-deal.

The Northern Ireland Protocol does not cover services. Without an agreement that covers financial services, the province's present booming backroom service provision for the thriving financial sector in Dublin is at risk. Without mutual recognition of professional qualifications, there will be difficulties with cross border health provision, all-island recruitment - with many people commuting to work in both directions daily - and smooth support and operation of businesses. A failure to draw up an adequacy agreement on data protection will disrupt the close cooperation between police and security services on the island of Ireland – and disrupt the flow of day-to-day business transactions.

As far as the EU is concerned, the UK simply becomes a 'third' country. Under the Protocol, Northern Ireland's ports of entry become sites of significant incoming risk – needing appropriately strict border management systems.

Background to Northern Ireland Treaty

In May 2020, the UK Government sent a 'command paper' to the Joint Committee requesting some flexibility on implementing the Protocol:

- "Not requiring NI business complete export and exit summary declarations when sending goods to Great Britain; and
- Decreasing the frequency and complexity of checks on Agri-food moving from Great Britain to Northern Ireland."

When these were not agreed to by the EU, the UK decided to introduce two pieces of legislation that would "allow it unilaterally deal with the areas of concern it raised in the Command Paper."

In September 2020: The 'UK Internal Market Bill' would have granted the Government powers to unilaterally decide to waive exit declarations for NI firms and reinterpret the Protocol's State Aid rules. It was openly acknowledged by the Government that this "would break the UK's legal obligations under WA and international law."

In December 2020: The 'Taxation (Post-transition period) Bill' aiming to empower Ministers NOT to collect tariffs on "at risk" goods if agreement could not be reached in the Joint Committee. 'At Risk' goods are those moved between Northern Ireland – but which subsequently end up in Southern Ireland.

The EU objected to these laws in the strongest terms, and the House of Lords repeatedly stripped out parts of the Bills that related to the Protocol, with the Government continuing to reinsert them. Michael Gove, on behalf of the UK Government, conceded the principle to the EU in Brussels on 17 December 2020 – and the Government removed the offending clauses from the Bills. In so doing the UK removed a major obstacle to the EU concluding both the 'Northern Ireland Protocol' and the 'EU–UK Trade and Cooperation Agreement'.

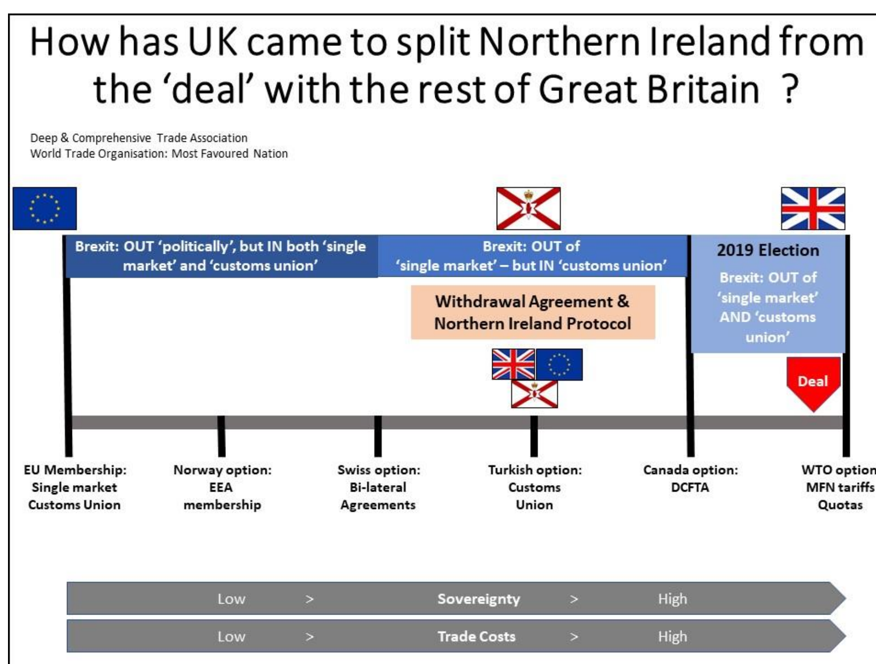
A Joint Committee protocol which was duly implemented on 31 December. It would have applied whether or not the UK concluded a Brexit trade agreement with the EU. It covers:

- Definitions of "At risk goods";
- Agricultural subsidies – set at £382.2 million per annum; and
- Presence of EU representatives in the Province – e.g. the EU Customs Declaration Service.

There remain “areas where the UK sought easing and reinterpretations of EU rules under the Protocol”. Unilateral declarations have been used here instead. Whilst not legally binding, they aim to aid ‘understanding’ on how the UK aims to interpret Treaties. They cover:

- Declarations on export declarations. HMRC will, instead, collect “equivalent” information from sources such as shipping manifests. It is not clear to what extent this will decrease administrative burdens for firms compared to having to fill out the EU’s customs declarations;
- Declarations on agri-food products. Supermarkets and their suppliers bringing agri-food products into Northern Ireland, have been given a three-month grace period before they must comply with the EU’s full Sanitary & Phytosanitary (SPS) regime;
- Declarations on chilled meats. Supermarkets will benefit from a six-month grace period before having to comply with EU SPS rules for bringing in certain types of chilled meats, such as sausages, from Great Britain to Northern Ireland. These products must clear through Border Inspection Posts, have official certificates from UK authorities – and carry a label saying, “these products from the United Kingdom may not be sold outside Northern Ireland”; and
- Declarations on human & veterinary medicines. Northern Ireland has a year-long grace period for implementing in full the EU’s rules on testing and selling human and veterinary medicines.

For its part, the EU made a Unilateral Declaration clarifying its position regarding ‘State Aid’. As the ‘Court of Justice of the European Union’ is the body with ultimate jurisdiction over EU State Aid matters, it not clear how this could be applied.



FUTURE OF GIBRALTAR SETTLED ON EVE OF BREXIT

In the final hours before Brexit, Spain and Britain concluded an Agreement to avoid a 'hard' border between Gibraltar and Spain.

The deal was announced by Spanish Foreign Minister, Arancha González Laya – and later confirmed by the UK Foreign Office on 31 December 2020.

Citizens of Gibraltar – a British Overseas Territory – had voted 96% to 'remain' in the EU in the 2016 referendum. The future of the territory had been addressed in some detail in the 2019 Withdrawal Agreement – but was not included in the scope of the Brexit trade negotiations. Instead, the EU had requested that UK and Spain negotiate a bi-lateral agreement on a 'political framework to form the basis of a separate treaty between the UK and the EU regarding Gibraltar'.

Now – under arrangements broadly similar to Northern Ireland on the island of Ireland – Gibraltar will join the EU's 'Schengen' zone – and will follow other EU single market and customs union rules for free movement of goods and services. The 'Rock' is a centre for financial activity and a conduit for financial services, with many Gibraltarians and EU citizens employed in the sector. About 15,000 Spanish workers travel there to work every day.

Pending the drafting and signing of the formal Treaty, the border will be open – allowing unfettered travel between mainland Spain and Gibraltar.

Without agreement, sales and provision of goods and services would have been hampered by the shift from 'passporting' to the 'equivalence' – as has happened to UK businesses and institutions. Border controls would have made daily travel impossible – and the 90 in every 180 days limit on citizens would have rendered employment impractical leading to potentially thousands of job losses.

Commenting on the agreement, Ms González Laya: "the fence is removed, Schengen is applied to Gibraltar… it allows for the lifting of controls between Gibraltar and Spain."

The EU will send 'Frontex' border guards to facilitate free movement to and from Gibraltar for the next four years.

Constitutionally, Gibraltarians are British citizens. They elect their own representatives to the territory's 'House of Assembly' – whilst the Queen appoints a 'Governor'.

Home to a British military garrison and naval base, Gibraltar is self-governing in all areas apart from defence and foreign policy.

As a member of Schengen, border guards will be now required to protect the zone's 'external border' – at Gibraltar's airport and seaport. Gibraltar joins 22 other EU states in the passport-free Schengen zone along with Norway, Switzerland, Iceland and Liechtenstein.

Gibraltar businesses must continue to comply with EU fair competition rules in areas such as financial policy, the environment and the labour market. For all practical purposes, they simply continue meeting the regulatory standards under which they have operated whilst the UK was a member state.

UK Foreign Secretary, Dominic Raab MP on reaching the Agreement with Spain said: "We will now send this to the European Commission, in order to initiate negotiations on the formal treaty. In the meantime, all sides are committed to mitigating the effects of the end of the Transition Period on Gibraltar, and in particular ensure border fluidity, which is clearly in the best interests of the people living on both sides."

On the previous day, 30 December 2020, addressing House of Commons during the Brexit debate, Conservative MP, Bob Neill had reminded Parliament that the UK had a "political and moral obligation" to secure a post-Brexit deal for Gibraltar. He said: "We gave a clear undertaking to the people of Gibraltar, who although they voted overwhelmingly to remain in the European Union are equally determined to remain part of the British family, that we would not leave them behind and would not leave the European Union without securing a deal for them too."

Although it came – literally – 'late in the day', we welcome the continuity for Gibraltarians and Spanish co-workers in the territory. Anything less would have been a travesty of justice and democracy.

UK - EU BREXIT AND CITIZENS

During the Brexit negotiations, there has been little discussion on immigration-related measures. EU citizens already living in the UK - and UK citizens already living in many EU countries - have most of their rights guaranteed under the Withdrawal Agreement, provided they have completed the relevant documentation.

EU citizens resident in the UK – along with their family members - must have applied for 'EU Settled Status'. UK citizens resident in the EU will find it much harder to move between EU countries to live or work.

At the end of the transition period, the UK leaves EU-wide 'free movement' area and will introduce a new 'points-based' system for migration from the EEA, EU and Switzerland. This is a significant change to the UK immigration system – especially for those seeking to move to the UK from elsewhere in the EU.

UK citizens moving to the EU will have to fulfil the requirements of the individual member state as this is a devolved matter. These changes are irrespective of the parties reaching a 'deal' or 'no-deal'.

UK citizens travelling to the EU will have to comply with the immigration requirements for nationals of 'third' countries - which could entail visas for some business visits and limits on stays.

Business will be precluded from moving and transferring staff freely across the EU on long-term secondment or permanent relocation.

New rules are due to come into the EU in 2022 for third country nationals – and, as such, UK citizens will need to register in advance before they travel to EU countries using the European Travel information and Authorisation System – ETIAS – similar to the schemes presently applied for travel to the US, Canada or Australia.

For many citizens, the first indication that the UK has left the EU will be the different channel at airports – separating EEA and non-EEA citizens.

As with road haulage drivers, citizens are likely to need international driving permits – and there are two separate schemes presently operating in Europe with different sets of requirements.

Drivers will need 'green card' insurance cover when taking a car to EU countries – along with a 'GB' sticker – even though the number plate may include the EU symbol.

From 1 January 2021, when driving in the EU (including Ireland), Andorra, Iceland, Liechtenstein, Norway, Serbia and Switzerland, drivers need to carry a separate green card for both the vehicle and any trailer or caravan being towed.

European Health Insurance Cards – EHIC - will no longer be valid. A 'grace' period has, however, been agreed – UK issued EHIC cards valid across the EU and EEA until their expiry date. The Government has announced that in future that they will issue a 'Worldwide' health card for UK citizens travelling abroad.

Travel insurance will be required to cover the costs of any treatment – with older travellers or people with pre-existing conditions finding it harder and more costly to travel. In the future, the UK may seek to agree bilateral arrangements with individual EU countries for reciprocal health treatment – but this will not be the case at the end of the transition period on 1 January 2021.

The UK will be outside EU regimes that: cap mobile phone roaming charges; or set automatic compensation payments for flight delays.

Taking a pet abroad will become more difficult – and DEFRA has already advised pet owners on what they need to do to ahead of travel.

Students already studying in the EU under the 'Erasmus' programme will be able to continue their studies - but Government has decided that the UK will not participate in the programme in the future. Discussions are under way to continue participation as a 'third' country - this appears unlikely to be agreed in the short run.

HOW THE 'EU FUTURE RELATIONSHIP' ACT WAS PASSED IN A DAY

Picture: 16:00 on 30 December 2020 from a Boris Johnson Tweet. Signing the TCA without waiting for the 'Bill' to complete the process and become an 'Act of Parliament'.

30 December 2020

Parliament was recalled for just one day to pass legislation required to implement the draft agreement 'Trade and Cooperation Agreement', reached between the UK and European Union on Christmas Eve.

Without this 'ratification' the UK would have left the EU at 23:00 GMT 31 December 2020.

Before any international agreement can be ratified, the Law requires '21 Parliamentary sitting days' – allowing time for scrutiny and open discussion.

As the Government 'concluded' negotiations on a trade deal only on 24 December – it then decided to 'bypass' the requirements of the 'Constitutional Reform and Governance Act', 2010. The 'European Union (Future Relationship)' Bill completed all of the 12 Parliamentary stages through the House of Commons, House of Lords, Committees and Royal Assent in one day. Indeed, as Boris Johnson's Tweet shows – he chose not to wait even for this process to complete.

Embarrassingly for every British citizen that believes and has put their trust in democracy, the Prime Minister in a 'travesty' of a lawful and constitutional process put himself above Parliament and the British constitution by signing a Treaty mid-process. The deal was signed whilst the House of Lords were in session and working through the details of the draft Agreement.

A cross-party House of Commons 'Committee on the Future Relationship with the EU' had worked through the night and published- in a unanimously agreed report – an initial assessment of the 1,246-page draft 'Agreement' as an briefing for MPs overnight. The report's key findings include:

- Having an agreed deal in place is better than no deal. The Committee welcomed an outcome that "ensures UK businesses and consumers will not face the prospect of tariffs from 1 January. Considering the interconnectedness and geographic proximity of the two markets, and their common interests, the importance of the agreement should not be underestimated."

- Significant change is still coming on 1 January. The Agreement "does not preserve current trading arrangements. It is therefore critical that the Government is clear in its communications to businesses, traders and communities about the terms of the deal and its implications."
- Both sides should implement the Trade and Cooperation Agreement – and get on with addressing the remaining uncertainties. The Committee urges "both sides to proceed with implementation and establish the new institutional arrangements set out under the Agreement. Priority should also be given to outstanding areas of uncertainty, such as equivalence for financial services and a data adequacy decision."
- The Committee calls on the "relevant authorities on both sides to support businesses through the implementation of new arrangements, rather than punishing them for unintended non-compliance."
- The "compressed timetable for ratification is concerning". The complexity of the Agreement means that it will take more than a day for its contents and implications to be fully understood. MPs "have been left with very little time in which to read the TCA and the accompanying Future Relationship Bill and reach a judgement on their contents." The Bill will not be subject to detailed scrutiny before a vote.

Committee Chair, Hilary Benn MP, concluded that businesses: "will not have to face the economically damaging consequences of tariffs that would have resulted from no deal. Reaching an agreement allows for future cooperation between the UK and EU on matters of mutual interest. Uncertainty remains in areas such as financial services and data adequacy as the full implications of the end of the transition period become clear."

Meanwhile, the EU has similarly not constitutionally been able to 'fully ratify' the Agreement in the time available. The European Parliament will not vote until the New Year. Instead, the 27 Member State governments agreed yesterday – 29 December 2020 – to 'provisionally' apply the deal, pending the consent of the European Parliament in the new year.

The Treaty was, therefore, signed on behalf of the EU by European Council President, Charles Michel, and European Commission President, Ursula von der Leyen, on 30 December 2020.

A Royal Air Force plane immediately transported the text from Brussels to London – and the Prime Minister signed it immediately after stage 4 of the Parliamentary process – rather than waiting for the completion of the 12 required stages through Parliament.

The Government had already engineered Parliament into making a stark choice – accept and ratify a 'thin' deal – or face the cliff-edge of a 'no-deal'.

The price of using constitutional breach to force through and 'get Brexit done' may yet prove to be a high one for democracy.

This legislation will underpin the most important Treaty for 47 years – one that will govern every aspect of the UK's future relationship with the EU for decades to come. It has been forced through parliament in an all-time record time of one day – and just one day before it takes effect.

The First Reading of the Bill dispensed with, the Second Reading was allowed 5 Hours, the 'Commons Committee' stage just 4 minutes, and Third Reading was put to a vote without allowing any debate. The passage of the Bill moved on to the House of Lords at 3:00 o'clock.

Boris Johnson then, in a demonstration of utter contempt for the constitution of the United Kingdom and democracy, choose not to wait for even for this 'charade' to run its course – he signed the Treaty with Europe immediately after the House of Commons vote.

He tweeted: "By signing this deal, we fulfill the sovereign wish of the British people to live under their own laws, made by their own elected Parliament."

Irrespective of the democratic outcome in the UK – the Agreement will then take effect from 1 January 2021.

What does Johnson's deal mean according to the 'Lords' – 23 new joint UK-EU 'Working Groups', 250,000 additional customs declarations per year, 50,000 new customs and border agents to be recruited and trained, a new requirement for customs declarations for goods moving between Great Britain and Northern Ireland,…their verdict on Boris Johnson's 'getting Brexit done'.

The House of Commons Speaker, Sir Lindsay Hoyle, informed MPs that the European Union (Future Relationship) Act 2020 – ratifying the UK's trade deal with the EU – been granted royal assent by the Queen in the early hours of New Year's Eve. The Act comes into force at 23:00 GMT on 31 December 2020.

Recalled for the day, MSPs in the Scottish Parliament debated and voted to reject the post-Brexit trade deal agreed between the UK and the EU: Nicola Sturgeon: "While a no deal outcome must be avoided", the deal that has been negotiated with EU leaders will "cause severe damage to Scotland's environmental, economy and social interests".

And we cannot end without noting, for the record, that the Trade and Cooperation Agreement could not have been concluded without the UK yielding to the EU on the sovereignty of Northern Ireland – an action completed by Michael Gove. The Government then withdrew the 'treaty-breaching' clauses from the 'Internal Market' Bill. This move allowed Northern Ireland to remain in the EU customs union and saw the introduction of a new 'hard' border between Northern Ireland and Great Britain.

UK TO PAY £33.4BN TO EU AS 'BREXIT SETTLEMENT'

A Post-Brexit briefing to MPs from the Office of National Statistics confirms the cost of Brexit payable as a 'cash settlement' to the EU at £33.4 billion.

The basis and principles of the settlement were agreed during withdrawal negotiations and form part of the 'Withdrawal Agreement' – a legally binding Treaty that sets out the negotiated terms of the UK's departure from the EU.

There are four elements to the settlement:

- The UK left the 'political' union in January 2020. However, during the 11-month 'transition period' that ended on 31 December, the UK continued to pay into the EU budget 'almost as if it were a Member State'. In return, it received funding drawn from EU programmes – such as 'structural funds' and 'farming subsidies' – as if it were a Member State.
- EU annual budgets commit to future spending without member states making cash payments up front. Before leaving the bloc in January 2020, the UK had 'signed up' to a number of commitments. They agreed to honour committed payments when they become due. In return, the UK recipients will receive funding on where commitments were made to them by the EU.
- The UK will share the 'financing of some EU liabilities as at the end of 2020' – and 'any materialising contingent liabilities.' It will receive back a share of some assets. The pension fund of EU staff is likely to be the most significant of these liabilities. The most significant item likely to be returned to the UK is the capital it paid into the European Investment Bank.
- The UK has agreed to continue contributions to the EU's main overseas aid programme – the European Development Fund – until the current programme ends. This programme is funded directly by Member States, rather than through the EU budget. The UK's contribution counts towards its commitment to spend 0.7% of national income on overseas aid.

Some uncertainties remain, for instance the cost of the settlement in sterling is dependent on the £-€ exchange rate. The lower the pound falls, the more it costs in sterling to buy the euro needed.

The ONS has prepared a detailed spreadsheet – available online – that lists all the elements and calculations.

The £33.4 billion estimate comprises:

£ 8.5 billion: Net contribution through the 'transition period' to 31 December 2020

£ 19.8 billion: Net sum 'commitments' to EU programmes

£ 5.1 billion: Net sum of future non-programme liabilities

The bulk of the payments will be made to programmes running within the present EU budget cycle – that is, by 2025. The final liability ends on the retirement of the youngest EU employee in the current pension scheme – and that could be as far away as 2065!

GOVERNMENT ESTIMATES BREXIT MEANS 4.4% REDUCTION IN GDP

“Brexit will be costly for UK society” – according to the official Parliamentary briefing to MPs ahead of the 30 December 2020 debate on the ‘EU (Future Relationship) Act’.

The study was checked and re-calibrated in the light of the outcome of the negotiations – the 1246 page ‘UK-EU Trade and Cooperation Agreement’ – which is at the core of the Act.

The introduction of trade restrictions on both goods and services is now estimated to reduce UK GDP by around 4.4% ‘relative to remaining as a member of the EU’.

This is not as harsh a view as other recent analyses – but still forecasts a high cost of reclaiming ‘sovereignty’ – unless the Government can now come up with and rapidly implement ideas about what the UK will do with its new-found freedom.

The estimate, if anything, is likely to be low. The Covid-19 pandemic – far from fading away to nothing at the end of 2020 as expected – is spreading faster and wider than ever. The introduction of ever more severe restrictions on commercial activity and travel is likely to reduce economic output and Brexit has coincided with the onset of a deep global recession – the like of which has not been experienced outside wartime.

The impact of the fall in value of the pound against the euro will be a further potentially economically depressing factor as it makes UK goods and services less competitive in direct proportion to the fall. At Brexit, the pound is already 20% lower than it was at the time of the EU referendum in 2016. Further falls may follow through external forces, such as the patterns in Covid-19, that no Government can influence or control – but to which business and commerce must respond.

It is relatively easy to identify which sectors’ exports and imports will be hardest hit by the non-tariff but ‘Brexit-induced’ trade restrictions – those that heavily export to or import from the EU.

However, the EU has enshrined into the Trade agreement that tariff-free trading is absolutely dependent on ‘Rules of Origin’ – with high proportions of ‘components and value-added services’ proven to originate in the EU or UK. The study incudes analysis of ‘Global Value Chains’ where inputs into UK exports originate outside the UK or EU.

It also quantifies the impact of 'less trade meaning lower incomes – and hence lower demand'. Any hindering of trade means paying more for imports and earn less from exports. This will have an adverse effect on the balance of trade between the UK and EU in future.

Summary of findings

- The 'UK-EU Trade and Cooperation Agreement' provides for tariff and quota free trading. The non-tariff barriers, however: increase UK-EU trade costs; reduce trade between the parties; requires resources for form-filling and additional certification for specified goods; add costs in queuing at ports and customs clearance centres ; double the certification requirements and costs for the new UKCA, NICA and CE requirements. Additional costs mean higher prices – which in turn lead to changes in consumption – which in the long-term reduces corporate contributions to taxes – which in the long-term means less money for expenditure on UK residents' welfare.
- Exports by value will fall by nearly 5.5% relative to a pre-Brexit scenario.
- UK GDP will fall by 4.4%.
- The biggest losses in UK exports to the EU are predicted to be in motor vehicles, chemicals, and food. These large declines in gross exports of goods reduce the indirect exports of their suppliers of services very significantly
- Brexit will have a major impact in terms of reducing 'global value chains'. The 'competitiveness of UK inputs into EU exports will induce a decline in UK multilateral value-added exports – the UK value embodied in other countries' exports'.
- Reduced production for manufacturers means less opportunity to apply 'economies of scale'.
- The 'thin' Trade Agreement is unlikely to redress any of the identified 'adverse' forces.

KEY REFERENCES:

EU - preparations for UK becoming a 'third' country: https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1594383487124&uri=COM%3A2020%3A324%3AFIN

https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1798?utm_source=UK%20Parliament&utm_campaign=a40e9b8c64-eudigest_051020&utm_medium=email&utm_term=0_77d770157b-a40e9b8c64-102411877&mc_cid=a40e9b8c64&mc_eid=1037596b66

https://www.ey.com/en_uk/news/2020/09/ey-financial-services-brexit-tracker-fs-firms-continue-moving-staff-ahead-of-brexit-deadline

https://www.gov.uk/guidance/using-personal-data-after-brexit?utm_source=newsletter&utm_medium=email&utm_campaign=uktransition&utm_term=FSA

https://old.parliament.uk/documents/lords-committees/eu-internal-market-subcommittee/future-uk-eu-transport-arrangements/190720-ChrisGrayling-BaronessDonaghy-Gov-Response-to-Transport-Report.pdf

TCA_SUMMARY_PDF.pdf (publishing.service.gov.uk)

https://www.brexit-partners.com/blog/2020/8/19/uk-government-unveils-strict-new-cross-border-plans-from-1-january-2021-deal-or-no-deal

https://www.brexit-partners.com/blog/2020/5/11/parliamentary-scrutiny-highlights-continuing-brexit-uncertainty-for-business-and-citizens-in-britain-and-northern-ireland

http://www.legislation.gov.uk/ukpga/2020/21/contents/enacted/data.htm

https://www.gov.uk/government/news/uk-gibraltar-spain-agreement-statement-from-the-foreign-secretary

https://researchbriefings.files.parliament.uk/documents/CBP-8822/CBP-8822.pdf

https://commonslibrary.parliament.uk/research-briefings/cbp-9106/?mc_cid=9732ae7503&mc_eid=606747fffa

https://www.gov.uk/guidance/exporting-animals-and-animal-products-to-the-eu-from-1-january-2021

https://commonslibrary.parliament.uk/research-briefings/cbp-9102/

https://publications.parliament.uk/pa/cm5801/cmselect/cmexeu/1094/1094.pdf

https://committees.parliament.uk/committee/366/committee-on-the-future-relationship-with-the-european-union/

https://parliament.us16.list-manage.com/track/click?u=3ad7e4c57a864f07e4db008c4&id=3cd7e71a1b&e=1037596b66

https://parliament.us16.list-manage.com/track/click?u=3ad7e4c57a864f07e4db008c4&id=07e4ad129a&e=1037596b66

ACKNOWLEDGEMENTS:

- Houses of Parliament Library Services: Lords and Commons – Brexit briefings for members
- European Commission: Brexit preparation publications and news feeds
- Gov.UK Website: Brexit preparation publications
- Birmingham City University: Centre for Brexit Studies – Three annual conferences and publications
- UK in a Changing Europe: No-deal analysis

CONTACT: john.shuttleworth@europartnership.com