

## IEA Webinar:

# Brexit: A six month review

Email: [brexitqueries@revenue.ie](mailto:brexitqueries@revenue.ie)

Website: [www.revenue.ie/brexit](http://www.revenue.ie/brexit)



- What does it mean?
  - the UK (excl. Northern Ireland) is a 3<sup>rd</sup> Country for customs purposes
- Customs formalities apply
  - Customs declarations
  - Possible interventions – fiscal and agency
- Legal basis for trading goods:
  - EU-UK Trade and Cooperation Agreement
  - Protocol on Ireland/ Northern Ireland
  - Union Customs Code

# What customs formalities apply?

- Imports – bringing goods in from GB
  - Import declaration to AIS
  - Entry Summary Declaration (ENS) to Import Control System (ICS)
  - All MRNs need to be added to the Pre-Boarding Notification (PBN)
  - May be subject to intervention and/or licence requirements
  - Considerations for payment of duties & VAT

# What customs formalities apply?

- Exports – sending goods to GB
  - Requires a customs declaration submitted to AEP
    - The S&S data is included in this declaration.
  - May be subject to intervention and/or licence requirements
  - All MRNs need to be added to the Pre-Boarding Notification (PBN)
  - May require you to complete import formalities in the 3<sup>rd</sup> country

# Moving goods through GB– Transit

Allows goods to move from one MS to another via a 3<sup>rd</sup> country while protecting the customs status of the goods

- Requires declaration submitted to NCTS
  - Requires access to a financial guarantee
  - May be subject to intervention
- This MRN will need to be added to the PBN.
  - For export the S&S may be included in the Transit, if not an EXS required
  - For import, an ENS is required.

# Experiences during the first six months

- Ensure correct data entered on declarations
- Entry Summary Declarations (ENS)
- Documentation not sent to relevant agencies in advance
- Returned Goods Relief
- Payment and duties issues:
  - Insufficient funds
  - Claiming preferential duty
  - Availing of Postponed accounting
- Closing of transit declarations
- Import / Exports through Northern Ireland ([eCustoms notification 07 of 2021](#))
- Movement of equipment / tools / repairs
- Quota – steel imports
- Incoterms

# Experiences during the first six months

- Revenue, Government Department and State agencies have collaborated further to aid the flow of goods:
  - Sharing of data / documents
  - Access to Revenue systems
- Revenue have made amendments to systems based of feedback from stakeholders
  - ENS easement (withdrawn on 23<sup>rd</sup> June)
  - Pre-Boarding Notification changes (adding email and contact number options)
  - AIS performance issues encounter in early 2021 now resolved

- The Trade and Cooperation Agreement between the EU and the UK allows businesses to avail of a preference for zero tariffs when importing goods of UK origin.
- Claiming Preferential Duty: eCustoms notification 36 of 2020.
- What if goods are not UK origin (i.e. EU or other 3<sup>rd</sup> country)?
  - Customs warehousing
  - Transit movement / Temporary Storage facility
  - Returned goods relief
- Guidance on goods from EU imported to UK prior to importing to Ireland eCustoms notification 14 of 2021.

# Postponed Accounting

This scheme:

- provides for postponed accounting for VAT on imports from non-EU countries
- enables you to account for import VAT on your VAT return
- allows you to reclaim VAT at the same time as it is declared in a return. This is subject to normal rules on deductibility.

The PA1 field on the VAT3 Return should include the Customs value of goods imported under PA as per Customs Declarations plus Customs Duty. This figure should include all goods imported under PA to which all VAT rates apply. Imported goods that are classed as zero-rated goods should also be included in the PA1 field if Postponed Accounting was applied on the Customs Declaration for these particular goods.

- The T1 and T2 figure on the VAT3 Return should include the amount of VAT applicable to the entry at the PA1 field on the return. (subject to the usual rules of deductibility)

- **Delivered duty paid:** It is the seller's obligation to import clear the goods in the buyer's country and pay any duties and VAT
  - Different applications of DDP
- **Delivered at place:** DAP means the seller is responsible for all charges and risks in transit until the goods reach their destination, at which point the risk transfers to buyer. The buyer is responsible for all costs and risks associated with unloading the goods and clearing customs to import the goods.
- **Ex Works:** EXW means the seller has fulfilled its obligation when the goods are made available to the buyer, usually at the seller's location. The buyer is responsible for both export and import formalities.

- An EU exporter using a ‘statement on origin’ must be registered on the REX system if the consignment has a value above €6,000.
- If the consignment has a value of €6,000 or less, the ‘statement of origin’ can be made with no obligation to be registered.
- EU REX Trader Portal allows applications can be made online.
- In order to apply to register online you must:
  - Have an active ROS digital certificate
  - Be registered for Customs & Excise on ROS
  - Have an EORI number
  - Submit an Application Request

# Conditions for becoming registered exporter

- Any exporter, manufacturer or trader of originating goods, or re-consignor of goods, established in the territory of the European Union, is entitled to apply to become a registered exporter
- The registered exporter signs an undertaking and should allow for verification of their accounting procedures and the manufacturing process of the products by competent authorities
- The registered exporter should keep copies of the statements on origin and supporting documents related to the statements on origin for a specified minimum number of years beginning from the end of the calendar year in which the statement on origin was made out \*. In the EU-UK TCA it is 4 years.

The registered exporter assumes full responsibility for the use of their registration number.



# Who can make out statements on origin

- The registered exporter making out a statement on origin must be able to prove the origin of the goods and to reply to requests for verifications
- If the registered exporter is not the producer of goods, then all necessary documents (supplier's declarations...) should be available allowing the exporter to prove the origin of the goods
- If provided for in the FTA, a handwritten signature of the exporter is not required on statements on origin. This is the case in the EU-UK TCA
- The statement on origin must clearly identify the name of the exporter
- Statements on origin are made out on the invoice **or any other document that describes the originating product in sufficient detail to enable the identification of that product.**

# Verification procedures

- Importers and exporters should keep documentary evidence for the number of years specified in the relevant FTA, beginning from the end of the calendar year in which the statement on origin was made out. In the TCA it is 4 years.
- Customs authorities may request such proof from importers and exporters claiming preference under the terms of free trade agreements
- Contact Revenue at:  
[origin&valuationsection@revenue.ie](mailto:origin&valuationsection@revenue.ie)

## Dates to note for new requirements

- On 11 March 2021, the UK Government announced a change to the timelines for the introduction of new SPS controls on imports from the EU into the UK.
- The changes will impact Irish exporters of all products of animal origin, including all meat, dairy, fish and composite products incorporating products of animal origin, certain animal by-products, high risk food not of animal origin and regulated plants and plant products.
- The new UK import controls will apply from the following dates:
  - 1 October 2021 – pre-notification of import consignments and the provision of health certificates for certain consignments
  - 1 January 2022 and 1 March 2022 - the operation of checks on live animals.

## Dates to note for new requirements

- The UK Government has also extended the period of their Exit Summary Declaration (EXS) waiver for UK exports moving via RoRo ferry to 30 September 2021.
- If you import goods into Great Britain between 1 January and 31 December 2021 and the goods are not controlled you may be eligible to delay sending HMRC the full information about your goods by up to 175 days on a supplementary declaration.
  - From 1 January 2022 declarations will be required at the time of importation.



## Webinar 7<sup>th</sup> July – ***Brexit: 6 months on***

Customs helpline channels are open for queries:

General Brexit queries to: [brexitqueries@revenue.ie](mailto:brexitqueries@revenue.ie)

Systems queries to: [eCustoms@revenue.ie](mailto:eCustoms@revenue.ie) or 01-7383677

PBN queries to: [CustomsPBN@revenue.ie](mailto:CustomsPBN@revenue.ie)

Brexit National helpline: 01-7383685 (24/7)

