

BUSINESS BREXIT RISK REGISTER: UPDATED 27 SEPTEMBER 2018

For companies across the United Kingdom, the ultimate test of any Brexit deal is whether it delivers clear answers to the practical, real-world questions businesses face. Firms of every size and sector need clarity in order to take decisions, invest and prepare for the future. As HM Government negotiates a future partnership between the UK and the EU, the British Chambers of Commerce is assessing progress on 24 business-critical issues. Following the publication of UK government contingency planning, and as negotiations continue, we find that 17 issues remain 'red', 6 'amber' and 1 'green'.



"Despite the raft of 'technical notices' outlining the procedures that the UK government intends to follow if the UK and EU are unable to reach a deal by March 2019, businesses still require greater clarity and precision to trade as smoothly as possible across borders. Most businesses are hoping for a deal - but no matter the outcome of the negotiations, the government must set out what the UK will do unilaterally to make life easier for trading businesses at a time of great change and uncertainty."

Adam Marshall Director General, British Chambers of Commerce

AREA	BUSINESS ISSUES	WHAT BUSINESSES NEED TO KNOW	RAG RATING
PEOPLE	ACCESS TO EU WORKFORCE	Will I be able to hire EU nationals in future - and under what conditions?	Amber
	BUSINESS TRAVEL	Will business travel between the UK and the EU involve further administration, costs or visas?	Red
	STAFF TRANSFERS	Will my business be able to move skilled staff members between the UK and the EU in future?	Red
FUNDING	HORIZON 2020	Will UK firms and institutions be able to participate in European R&D projects after 2020?	Amber
	EUROPEAN INVESTMENT BANK	Will UK projects be eligible for support from the EIB after 2020?	Red
	ESIF FUNDS UK REPLACEMENT	How will the UK replacement for EU Funds work, and how can my company access opportunities?	Red
TAX	IMPORT VAT	Will I need to pay VAT on goods at point of import? Will I be able to use postponed accounting or have access to more generous deferment account terms to offset the cash-flow issues?	Green
	SERVICES VAT	Will I need to become VAT-registered in every EU Member State where my firm has clients?	Red
REGULATION	REGULATORY AGENCIES	Which regulator will be overseeing my business in the future, and what rules do I need to follow? Is the UK government going to charge businesses for the creation of new regulatory agencies in the UK?	Amber
	PRODUCT TESTING	Will conformity assessments on products conducted by a UK body will continue to be sufficient for the product to be sold on the EU market?	Red
	DISPUTE RESOLUTION	What dispute resolution and means of redress will be available to my business in the future?	Red
STANDARDS	INDUSTRIAL STANDARDS	What industrial standards will my firm need to comply with in the future, and will the UK stick with the European model that we have strongly influenced?	Amber
DIGITAL	MOBILE ROAMING	Will my business have to pay mobile roaming charges in the EU after Brexit?	Amber
	CUSTOMER DATA	Will my business continue to be able to hold and transfer data and personal information without any interruptions after we have left the EU?	Red
TRADE	TARIFFS	Will I be able to continue trading without tariffs with the EU in the future?	Red
	RULES OF ORIGIN	What rules of origin will I need to comply with once the UK has left the EU? Will I be able to count UK and EU content as single origin, both when trading with the EU and with third countries?	Red
	CONTINUITY OF EU FTAS	Will my company still have access to markets on the same terms as now once we have left the European Union?	Red
	BUSINESS ENGAGEMENT STRUCTURE	How will my business be able to contribute directly to future trade negotiations?	Amber
	AVIATION	Will I still be able to fly people and/or goods between the UK and the EU after Brexit day - or could travel be disrupted?	Red
BORDERS	CUSTOMS	Will my goods be subject to new customs rules, procedures and inspections at the UK or EU border in future? Could my shipments be held up and delayed?	Red
	INSPECTIONS	Will there be new health or safety-related inspections at the UK-EU border that my company will need to deal with?	Red
	DECLARATIONS	Will I need to do additional customs-related paperwork, including import and export declarations, when trading with the EU?	Red
	TRUSTED TRADER SCHEMES	Will my business be able to become a 'trusted trader' to move quickly through borders in future - and what will the process be?	Red
	IRELAND	What, if any, procedures will my company face trading cross-border between Northern Ireland and the Republic of Ireland?	Red

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PEOPLE	ACCESS TO EU WORKFORCE	Amber	The Home Office published the Employer Toolkit for the EU Settlement Scheme for EU Citizens over the summer and is trialing its operation. Businesses await the Technical Notice relating to EU citizens for a no deal outcome. For the longer-term operation of immigration policy, the Migration Advisory Committee is to report back to government on the impact of EEA workers and international students in September.
	BUSINESS TRAVEL	Red	
	STAFF TRANSFERS	Red	
FUNDING	HORIZON 2020	Amber	In the event of no deal, the Government would guarantee payment of monies to UK businesses that made successful bids into the fund before the UK exits the EU. But this falls short of a Green because questions remain about how businesses operating in consortia and / or dispersing monies to overseas suppliers will be supported as the guarantee is restricted in scope.
	EUROPEAN INVESTMENT BANK	Red	
	ESIF FUNDS UK REPLACEMENT	Red	
TAX	IMPORT VAT	Green	According to the UK's Technical Notices, in the event of no deal, the UK will introduce postponed accounting – the same system that is currently in place for intra-EU trade. This measure will significantly reduce the cash-flow burden on UK businesses and gives much-needed certainty on this critical business area.
	SERVICES VAT	Red	
REGULATION	REGULATORY AGENCIES	Amber	Many of the technical notices lay out details of how compliance regimes, reporting and licensing requirements will change under the different Brexit scenarios. However, plenty of gaps remain - including how enforcement will work in practice.
	PRODUCT TESTING	Red	
	DISPUTE RESOLUTION	Red	
STANDARDS	INDUSTRIAL STANDARDS	Amber	
DIGITAL	MOBILE ROAMING	Amber	With a withdrawal agreement in place, mobile roaming charges will not apply until at least December 2020. In the event of a 'no deal' Brexit the government has committed to legislate to retain a financial limit (£45 per month) for data use charges incurred abroad. In either eventuality, what happens after the transition period ends or a no deal Brexit starts will also depend on the mobile operators.
	CUSTOMER DATA	Red	
TRADE	TARIFFS	Red	The UK Government has outlined its approach to consultations on trade negotiations, which will include public consultations, as well as the formation of a Strategic Trade Advisory Group. Some consultations have already been launched, and we are upgrading this area to Amber as we wait to see the effectiveness of this approach.
	RULES OF ORIGIN	Red	
	CONTINUITY OF EU FTAS	Red	
	BUSINESS ENGAGEMENT STRUCTURE	Amber	
	AVIATION	Red	
BORDERS	CUSTOMS	Red	
	INSPECTIONS	Red	
	DECLARATIONS	Red	
	TRUSTED TRADER SCHEMES	Red	
	IRELAND	Red	