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Brexit European Commission's "no-deal" Contingency Action Plan Impact on customs

Given the continuing uncertainty in the United Kingdom over the ratification of the Withdrawal Agreement, as agreed between the EU and the UK on 25 November 2018, and in response to the call launched by the European Council (Article 50) to intensify the preparatory work, the European Commission has implemented its [Contingency Action Plan](#) in case of a "no-deal" Brexit. Thus, before the end of the year, the Commission will adopt all the necessary regulatory proposals in the event of a lack of agreement.

The Commission started on 19 December 2018 with 14 measures for a limited number of sectors for which in the absence of an agreement would be a major disruption for citizens and businesses. These include **financial services, air transport, customs and climate policy**.

In customs matters, in a no deal scenario, all relevant EU legislation on the importation and exportation of goods will apply to goods moving between the EU and the UK.

The Commission has today adopted the following **technical measures**:

- A Delegated Regulation to include the seas surrounding the UK in the provisions on time-limits within which **entry summary declarations and pre-departure declarations** have to be lodged prior to leaving or entering the Union's customs territory.
- A proposal for a Regulation to add the UK to the list of countries for which a **general authorization to export dual use items** is valid throughout the EU.

The Commission considers it essential and urgent to adopt these measures as soon as possible, in order to allow the necessary emergency measures to come into force on 30 March 2019 and thus limit the most serious consequences that may be caused in the absence of an agreement. For delegated acts, the period of scrutiny in the European Parliament and the Council is usually two to three months. Delegated acts may enter into force even sooner if the European Parliament and the Council both inform the Commission, before the end of the examination period, that they will not express objections to the act concerned.

In France, an agreement was found at the Mixed Joint Committee of the Senate on 18 December 2018 on the draft law providing for measures to prepare for the withdrawal of the United Kingdom from the EU. The purpose of this project is to enable the French authorities to react to any eventualities related to the withdrawal of the United Kingdom.

The measures concern, inter alia, controls on goods and passengers to and from the United Kingdom and **veterinary and phytosanitary controls** on imports from the United Kingdom, as well as the carrying out of **road transport** operations of goods or persons on French territory, including in transit, by natural or legal persons established in the United Kingdom.

The DS Customs & Trade team is at your disposal to provide you with additional information.

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