

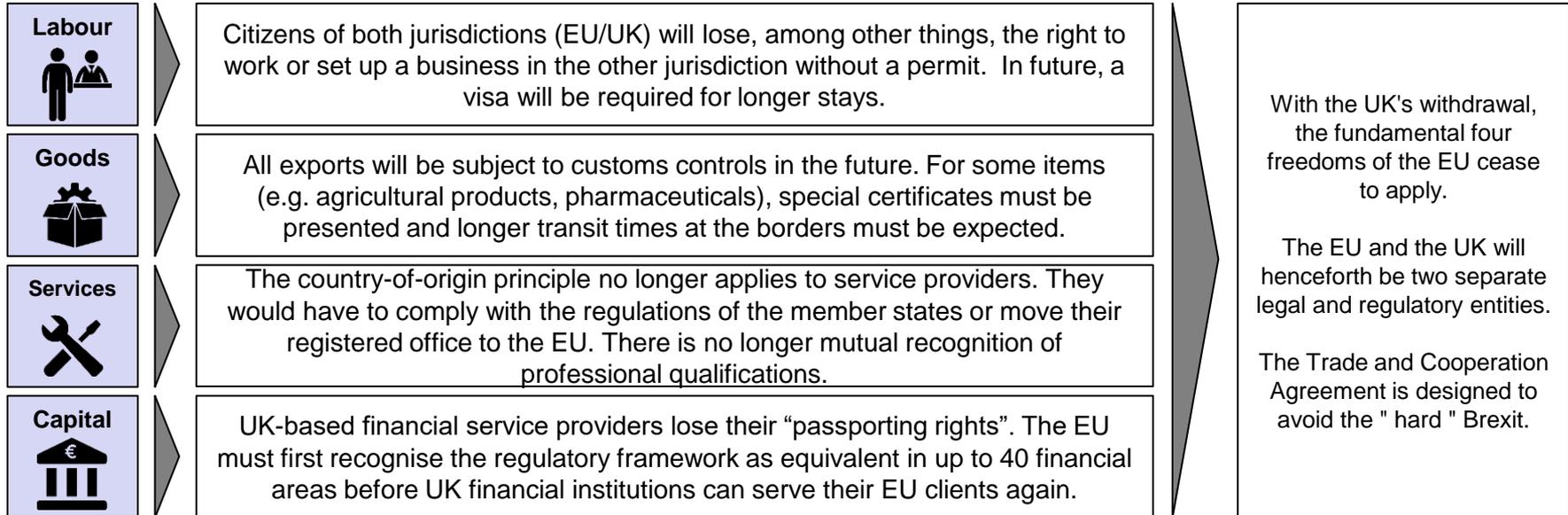


**The European  
Foundry Association**

# Brexit Guideline as of 08 January 2021

# What has changed by 1 January 2021

## Impact on the four EU fundamental freedoms for the United Kingdom (UK)



# Trade and Cooperation Agreement - key points

Trade, Economy, Social Affairs, Environment & Fisheries		Security of the citizens	Possible unilateral EU measures
<b>Free, fair and sustainable trade</b> <ul style="list-style-type: none"> <li>Trade in goods, including customs and regulatory cooperation</li> <li>Services &amp; Investment</li> <li>E-commerce, intellectual property &amp; public procurement</li> <li>Fair competition &amp; sustainability with regulations</li> </ul>	<b>Transport accessibility, sustainability and opportunities</b> <ul style="list-style-type: none"> <li>Transport</li> <li>Energy: incl. introduction of an EU-equivalent CO<sub>2</sub> tax!</li> <li>Fisheries &amp; natural resources</li> <li>Coordination of social security</li> <li>Union programmes</li> <li>Thematic cooperation</li> </ul>	<ul style="list-style-type: none"> <li>Law enforcement &amp; judicial cooperation in criminal matters</li> <li>Protection of fundamental rights &amp; personal data</li> <li>Data exchange</li> <li>Combating money laundering</li> </ul>	<b>Non-negotiable:</b> <ul style="list-style-type: none"> <li>The adopted adequacy decision on data protection</li> <li>Application of the UK sanitary &amp; phytosanitary status to third country lists</li> <li>The equivalence of financial services</li> </ul>
<b>New governance framework for EU-UK long-term cooperation</b> <ul style="list-style-type: none"> <li>Common values &amp; essential elements</li> <li>Partnership Council</li> <li>Dispute resolution, enforcement &amp; sanction mechanisms</li> <li>Frequent monitoring</li> </ul>			

## Most important aspects (1/3)

- ✓ Little change / Remains the same compared to EU membership.
- Worse, but regulated by EU-UK trade agreement
- ✗ Aggravation compared to EU membership (no regulation)

### Services

- The free movement of services will cease from 1 January 2021.
- Service providers must comply with the regulations of the states.
- Various prohibitions, restrictions and obligations on national treatment and most-favoured-nation treatment as well as sector-specific issues are regulated in the UK-EU Agreement.



### Longer stay for business purposes

- Contracted service providers ("mode 4"). Requirements:
  - at least one year working in their field of business as well as
  - at least three years of professional experience,
- may stay in the territory of the other contracting party for a maximum of twelve months (cumulative).
- Exceptions exist



### Intra-corporate transfers

- Requirements:
  - at least one year in the company (managers and specialists), or
  - six months (for "trainee employees") in the company.
  - Deployment generally limited to a maximum of three years, for "trainee employees" to a maximum of one year.
  - No stay in the respective other territory



## Most important aspects (2/3)

- ✓ Little change / Remains the same compared to EU membership.
- Worse, but regulated by EU-UK trade agreement
- ✗ Aggravation compared to EU membership (no regulation)

### Short-term business trips

- It is permitted to stay for up to 90 days within a six-month period.
- The sale of goods or services to the general public is not permitted.
- Permission is granted, among other things, to attend meetings, trade fairs, training courses or to travel for contract negotiations and customer services.



### Visa-free travel

- Still guaranteed by the Trade and Cooperation Agreement (in principle 90 days within 180 days).
- Should the UK end the visa-free regime for a Member State, the EU will take measures that can subsequently end the visa-free regime for British citizens to the EU.



### Coordination of the social systems

- Regulated by the Protocol on the Coordination of Social Security Systems. Important points:
  - Scope
  - Coordination rules
  - Applicable law
  - Assignments
  - Multi-state employment
  - Certificates
  - Expiry date ("sunset clause")
  - Fees



## Most important aspects (3/3)

- ✓ Little change / Remains the same compared to EU membership.
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### Recognition of qualifications

- The Trade and Cooperation Agreement does not contain any provisions on the recognition of qualifications.
- The contracting parties are free to decide on the need for professional qualifications for certain activities
- Authorities may submit recommendations on the recognition of qualifications



### Level playing field

- The agreement calls for the guaranteed level not to be lowered below the level foreseen in the common standards applicable at the end of the transition period.
- This also includes the introduction of an EU-equivalent CO<sub>2</sub> tax!



### Customs agreements and cumulation

- Great Britain (excluding Northern Ireland):
  - Intra-Community deliveries become exports and imports.
  - Customs clearances are incurred.
- Trade in goods with Northern Ireland:
  - Remain deliveries (no customs declarations required).
- The UK government provides the Border Operating Model as a basis.



## Where can I find the documents?

The complete trade agreement as well as references to the 50 most important questions and answers (Q&A) can be found via the [link](#).



Check the [EU web page](#) for the announcements for your industry, study the [checklist](#) and use the [online test](#) provided by the British Government.

Another good overview of the changes in detail can be found [here](#).

