Dear Denis,

Thank you for your contribution to the debate on The Customs Safety and Security Procedures (EU Exit) (No.2) Regulations 2019 on Monday 7 October. During the debate, you asked whether the EU will reciprocate the UK’s easement to suspend temporarily the requirement for safety and security declarations on imports from EU Member States, Norway, Switzerland and Liechtenstein. I am sorry that I was unable to respond to you at the time and I promised to write to you.

The UK is introducing a temporary easement suspending the requirement for safety and security declarations on imports from EU Member States, Norway, Switzerland and Liechtenstein in order to give businesses more time to prepare for what would be a new requirement in a no deal exit scenario.

Haulage companies and their representative groups have consistently said that they need time to prepare for submitting entry summary declarations on imports from the EU because they will have to change their business models in order to collect all of the necessary information from their customers.

Regarding exports from the UK, EU Member States, including Ireland, are not reciprocating this easement and will require entry summary declarations for imports from the UK. However, the UK’s temporary suspension of safety and security declarations for imports from the EU, Norway, Switzerland and Liechtenstein in a no deal scenario will still benefit UK businesses because it gives carriers more time to prepare and this will prevent unprepared carriers from causing congestion at UK ports.

In the case of an import to the UK which is an export from the EU, the carrier does not have any export declaration obligations. Carriers are legally responsible for making safety and security declarations on imports, but the requirement for safety and security information on an export is fulfilled by the fiscal export declaration which is submitted by the exporter. This means that this instrument removes the burden to carriers in importing goods from the EU and we do not need a reciprocal arrangement with the EU for this to be effective because there is no requirement for a separate safety and security declaration on exports.
The government is committed to maintaining the flow of trade, but not at the expense of security. This is a temporary measure, after which the UK will require businesses to submit safety and security declarations in line with the World Customs Organisation’s framework.

I hope you find this letter helpful. I have also copied this letter to Lord Purvis and Baroness Neville-Rolfe and will also place a copy in the House library.

LORD BETHELL

Lord Tunnicliffe
House of Lords