



# PORT PARTNERS

(CUSTOMS CLEARANCE) LTD

Hauliers involved with transporting goods to, from and through the UK and EU



Source: HM Government – Transporting goods in the UK and EU after Brexit – September 2019



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# Introduction

Hauliers and commercial drivers will need the correct documentation to travel to, from and through the UK and EU, if the UK leaves without a deal.

## UK Hauliers

### Community Licences and Licence for the Community

The EU has agreed that for a transitional period, UK hauliers will be able to continue using their current licences to travel to and from the EU. This currently applies until the 31<sup>st</sup> December 2019 but is likely to be extended until the 31<sup>st</sup> July 2020.

- Hauliers holding a Community Licence will be able to continue using these after a no-deal EU exit for the transitional period;
- Hauliers applying for or renewing a Community Licence after a no-deal EU exit will receive a UK Licence for the Community, which will give the same rights;
- A copy of the Community Licence or the new UK Licence for the Community must be carried on board all vehicles working in the EU;
- The Community Licence or the new UK Licences for the Community will not be valid for International road haulage journeys made by UK hauliers through the EU to countries outside of the EU and EEA – these will require European Conference of Ministers of Transport (ECMT) permits;
- Some cross-trade (movements between two EU countries) and ‘Cabotage’ (movements within an EU country) will be permitted in the transitional period. Until the 31<sup>st</sup> December 2019 at least two loaded cabotage journeys will be possible each week.
- UK operators who carry their own goods (operating on ‘own account’), or who have vehicles weighing under 3.5 tonnes do not need to hold a Community Licence or the new UK Licence for the Community. However, in some parts of the EU a permit may be required.

## **ECMT Permits**

Some journeys made during the transition period will require an ECMT permit. In particular, hauliers will require an ECMT permit if they:

- Are transiting the EU to non-EU countries;
- Intend to do three cross-trade journeys (haulage from one EU country to another) during a single trip to the EU.

ECMT permits will only be valid when accompanied by:

- An ECMT logbook (issued with the permit);
- Certificates of compliance and roadworthiness relevant to the vehicle being used.

## **Trailer registration plates and papers**

All commercial trailers weighing over 750 kg and non-commercial trailers weighing over 3,500 kg need to be registered with the Driver and Vehicle Licensing Agency (DVLA) before they travel abroad.

The keeper of the trailer will need to ensure that the:

- Trailer displays registration plates;
- Driver carries DVLA trailer registration papers;

Hauliers do not need to register trailers that are only being used for journeys between the UK and Ireland.

## Vehicle documents

Drivers will need to carry the following documents in the vehicle when driving abroad:

- A vehicle log book V5C or VE103 to use a hired or leased vehicle;
- A GB sticker fixed to the rear of the vehicle and trailer, even if the number plates includes the GB identifier;
- A motor insurance Green Card.

## Green Cards

A Green Card is an international certificate of motor insurance accepted in 48 countries which are part of the Green Card Scheme:

- Drivers will need to carry Green Cards when driving in the EU;
- Hauliers should ensure Green Cards are provided by their insurance company for all vehicles undertaking journeys to, from or through the EU;

Multiple Green Cards will be required if you:

- Are a commercial operators with fleet insurance, you will need a Green Card for each vehicle;
- Have a trailer attached to the vehicle, you will require a Green Card for the towing vehicle and for the trailer (some countries will also require separate trailer insurance);
- Have two separate insurance policies covering the duration of the journey (eg, if the insurance policy renews during the journey)

## **Cross-border responsibilities when moving goods**

- It's the responsibility of the trader to make customs declarations and to get the relevant documentation to the haulier and driver;
- While responsibility for customs formalities rests with the trader, the haulier must ensure the driver is given all necessary customs documentation and other paperwork so they can be carried in the vehicle for the duration of the journey;
- The haulier must inform the driver what documents will need to be presented at key transit points (customs posts, on road pre-departure inspections to demonstrate border readiness, ports or train terminals). For smooth operation, it is vital that the driver is clear, when and how they will be presented and checked.
- A driver should not attempt to cross the EU-EU border in either direction without all required customs paperwork for all shipments carried.

# UK Drivers

## Driver Certificate of Professional Competence (CPC)

Drivers with current UK Driver CPC working for UK hauliers do not need to take any additional action to prepare for a no-deal EU exit. UK CPC will continue to be valid for drivers of all journeys that UK operators are entitled to undertake, whether under the transitional arrangements agreed with the EU or on the basis of ECMT permits.

- Drivers need to carry their CPC driver qualification card while driving in the EU;
- UK drivers who are working for a UK operator carrying goods in their own goods, or who have vehicles under 3.5 tonnes, do not need to hold a CPC in order to work;
- UK drivers who work for, or plan to work for an EU company should take action, as UK CPC will no longer be recognised as a valid qualification by EU employers. UK drivers should therefore exchange their UK CPC for an EU CPC before the UK leaves.

## UK driving licences and international driving permits

UK photocard driving licences will be recognised, without the need for an international driving permit (IDP), in 24 of the 27 EU countries. In the remaining three countries, in addition to their photocard driving licence, a driver will need a:

- 1968 IDP to drive in France and Italy;
- 1949 IDP to drive in Cyprus;
- If the driver does not have a photocard licence, they may need additional IDPs
- Drivers who already have IDPs should check that they are still valid where they intend to drive. For some countries, 1926 and 1949 IDPs may need to be replaced with a 1968 IDP.

## **Tachograph charts or driver's digital smart card**

- Drivers of goods vehicles over 3.5 tonnes undertaking international journeys must make sure they continue to comply with EU rules for driver' hours and tachograph use
- Drivers must be able to produce tachograph charts and any legally required manual records for the current day and the previous 28 calendar days;
- Drivers must be able to produce the digital smart card if they have one.

## **Passports and visas**

- UK passport holders may need to renew their British passports earlier if they are travelling after a no-deal EU exit. On the day of travel, a driver will need a passport to have at least 6 months left to travel to countries in Europe (not including Ireland);
- Haulage drivers will not need a visa for short journeys to the EU. A driver can stay for up to 90 days in a 180 day period.

## EU Hauliers

- EU hauliers must be licenced in their country of establishment and carry a copy of their Community Licence at all times;
- EU operators with a Community Licence can continue to carry goods to, from and through the UK during the transition period or until advised otherwise;
- EU operators doing business to, from and through the UK will need to carry proof of insurance. A Green Card or other proof of motor insurance will be recognised in the UK;
- EU operators can carry our cabotage in the UK under current EU limits during the transition period or until advised otherwise.

## Cross-border responsibilities when moving goods

- It's the responsibility of the trader to make customs declarations and to get the relevant documentation to the haulier and driver;
- While responsibility for customs formalities rests with the trader, the haulier must ensure the driver is given all necessary customs documentation and other paperwork so they can be carried in the vehicle for the duration of the journey;
- The haulier must inform the driver what documents will need to be presented at key transit points (customs posts, on road pre-departure inspections to demonstrate border readiness, ports or train terminals). For smooth operation, it is vital that the driver is clear, when and how they will be presented and checked.
- A driver should not attempt to cross the EU-EU border in either direction without all required customs paperwork for all shipments carried.



## Securing a vehicle when travelling to and from the UK

UK and EU hauliers and their drivers must secure vehicles coming into the UK to reduce the risk of becoming a victim of crime.

- Hauliers and drivers crossing UK/EU border should be aware of the potential threats to vehicles and how they can stop 'clandestine entrants';
- If a driver does not secure a vehicle, and is found carrying clandestine entrants into the UK, the vehicle's driver, owner or hirer can be fined up to £ 2,000 for each person found.

### Keeping the vehicle secure

For hauliers, an effective system includes:

- Written instructions for drivers on how to use the system;
- Robust security devices to effectively secure the vehicle, load and load space;
- Training for drivers on how to use the system and security devices;
- Giving vehicle security checklists to drivers;
- Checking that drivers are following the instructions;

For drivers, an effective system includes:

- Security devices such as padlocks, seals and tilt cord to secure vehicles after loading;
- Checking the security devices and vehicle thoroughly after each stop and before entering the UK;
- Recording checks on vehicle security checklist.
- If a driver suspects someone is attempting to enter their vehicle. They should contact local police as soon as it is safe to do so.

# Moving goods from the UK into the EU

## Before leaving the UK

When collecting goods to cross into the EU, drivers must be provided with the correct customs documentation necessary to cross into the EU.

- UK exporters must complete the UK export customs procedures. This will be at least a combined customs and safety and security declaration;
- The driver will need to be told if the goods need to be presented to a UK Customs Office. Once this has been done, the exporter will be given permission to progress and the driver can be told to take the goods to the UK port or terminal of departure;
- The driver is not required to carry evidence of UK export documentation, although they will be required to carry other customs documentation detailed elsewhere in this handbook.

## Documents for the EU border authorities

- The driver must be provided with all necessary reference numbers or documentation from the trader to meet the import requirements of the country they are entering in the EU. It is the responsibility of the exporter (with their customs agent) to ensure this is done;
- It is likely that pre-declaration and clearance processes will be required before a shipment can be exported from the UK;
- The trader exporting the goods from the UK must confirm with the trader importing the goods into the EU, what processes and documentation will be needed, to export goods from the UK into the EU. The trader must ensure all requirements and formalities are met, and must give full, clear instructions to the haulier and driver so that they know what to do

## **Moving goods into the EU under Common Transit Convention (CTC)**

If a trader confirms that the goods are moving under CTC, the driver must:

- Be given a Transit Accompanying Document (TAD) form the trader and be informed by the trader that the movement has been released to transit procedure and that they can proceed to the place of exit from the UK, or;
- Be given a Local reference Number (LRN) to a TAD that hasn't been released to transit procedure and told to present the goods and the LRN or TAD to the UK Border Force at a nominated UK office of Departure. The goods will then be released to transit procedure and a TAD will be provided to the driver;
- The exporter/agent will be responsible for updating the haulier and driver on the status of the TAD.

## **Moving goods into the EU under Temporary Admission (ATA) Carnet**

ATA carnets are international customs documents that are used for the temporary export or import of goods. If the trader confirms the goods are moving under the ATA Carnet convention the driver must:

- Obtain the ATA Carnet document from the trader;
- Take the goods and the ATA Carnet to the UK Border Force at a UK Office of Departure as instructed by the trader, their agent or logistics company controlling the movement.

## **Moving goods into the EU under Transport Internationaux Routiers (TIR)**

If the trader arranges for the goods to move under TIR convention, the vehicle moving the goods must hold an Approval Certificate of a road vehicle for the transport of goods under Customs seal.

The haulier must:

- Give the driver the TIR Carnet document;
- Ensure that arrangements have been made to declare the movement to the EU New Computerised Transit System (NCTS) and have the reference numbers needed to present the goods to the EU Customs authorities;
- Instruct the driver to take and present the goods and the TIR Carnet to the UK border Force at an Office of Departure.

## **Transporting excise goods out of the UK**

Excise goods include alcohol, tobacco or energy products.

If the goods are subject to excise duty, in addition to other commercial documents, the driver must receive from the trader one of the following:

- A copy of the Electronic Administrative Document (EAD);
- Commercial documentation clearly showing the Administrative Reference Code (ARC) for the EAD;
- A paper W8 form for energy products;
- A copy of the customs declaration

## **At the border with the EU**

- If no additional procedures have been used, the driver must follow the EU's import and border requirements;
- If the movement is being made under the CTC, the TAD must be presented by the driver to the EC Customs Authorities in line with the EU's procedures;
- If the movement is being made under ATA or TIR Conventions, the driver must present the ATA or TIR Carnet and ensure it is stamped by the EU Customs Authorities in line with the EU's procedures.

## **After the border**

- If the movement is being made under the CTC convention, the driver must present the TAD at an Office of Destination or to an Authorised Consignee, where the transit procedure will be closed. The goods will be subject to EU import procedures;
- If the movement is being made under the ATA Convention, the driver should give the ATA Carnet to the recipient of the goods when they are delivered;
- If the movement is being made under the TIR Convention, with the TIR Carnet procedure, the driver must present the TIR Carnet and ensure it is stamped by the Customs Authorities either when the goods leave the customs territory of the EU or at an Office of Destination.

## **Transporting goods into France**

France has designed a 'smart border' system for processing trucks using the ferry and Eurotunnel crossings, pairing the customs declaration data with the vehicle registration number transporting the consignment(s).

- On departure from the UK, at check-in on the ferries and at the 'pitstop' at Eurotunnel, the driver will hand in the Movement/Master Reference Number (MRN);
- The MRN will be scanned and matched with the vehicle registration number;

- For consignments from multiple traders, either the exporter or the driver can scan all of the barcodes from the separate documents, using the Prodounaes app, which creates an MRN envelope. The driver will then only need to present one single MRN from the load they are carrying;
- This data is then analysed by the French customs system while the driver and consignment are on the ferry or train crossing the channel so that the vehicles can be pre-selected for further controls, including customs and/or Sanitary and Phytosanitary (SPS).

The driver will be informed if:

- They can proceed;
- They need to declare for customs and/or SPS;
- There are any problems which need to be addressed before they can continue on their journey.

### **Transporting goods through the Netherlands**

- The Netherlands have developed their own paid-for service, 'Portbase', which aims to assist freight and logistics operators with various formalities involved in UK-Dutch transportation of goods.
- All Dutch ferry terminals have agreed that all customs declaration numbers for UK export and imports that travel through the Netherlands must be pre-registered via Portbase, otherwise road freight transport vehicles will be refused access to the terminals;
- The driver must present the MRNs at UK check-in.

# Moving goods from the EU to the UK

## Before leaving the EU

When collecting goods, the driver must be given all the relevant customs documents and should confirm that the trader has completed the EU export procedures.

The driver must also confirm with the exporter that the UK import requirements have been met. If no other movement procedures are being used this means the driver must have, for each consignment, evidence of a customs declaration from the traders (in the EU and the UK). This will take the form of:

- A MRN or MRNs, which may be referred to as UK entry number, or;
- The UK traders Economic Operator Registration and Identification (EORI) number;
- The EU export declaration MRN.

## Moving goods into the UK under CTC

If the trader confirm that the goods are moving under CTC, the driver must:

- Obtain a TAD from the trader and ensure the goods have been released to the transit procure.

## Moving goods into the UK under ATA Carnet

If the trader confirms the goods are moving under the ATA Carnet Convention, the driver must:

- Obtain the ATA Carnet document from the trader.

## **Moving goods into the UK under TIR**

If the trader confirms the goods are moving under TIR Convention, the vehicle moving the goods must hold an Approval Certificate of a road vehicle for the transport of goods under Customs Seal.

The driver must:

- Obtain the TIR Carnet documents from the trader.

## **Transporting excise goods into the UK**

If goods are going to an excise warehouse in the UK, then the driver will need to ensure that they hold either:

- a copy of the EAD, or;
- commercial documentation that clearly states the ARC before they leave the port.

However, where the importer has used a simplified procedure that allows for the arrival of the goods to be delayed (Such as TSP), the creation of the EAD will also be delayed until the goods have arrived. In these cases, the driver must instead ensure they hold a copy of the pre-lodged customs declaration, which must include details of an excise movement guarantee, before leaving the port. If the goods are still travelling to their delivery address by the end of the next working day following import, the importer or their agent should supply the driver at this point with a copy of the EAD or the ARC to formalise the excise movement requirements.

## **At the EU border**

The driver must follow EU exit procedures.

If the movement is being made under the ATA or TIR Conventions, the driver must present the ATA or TIR Carnet and ensure it is stamped by the EU Customs Authorities in line with the EU's procedures.



## UK arrival procedures

UK Authorities will not routinely stop vehicles on their way into the UK in order to check that they have the correct customs documentation.

However, UK Border Force Officers will, as they do now, use risk-based intelligence to select trucks for targeted customs offences, security and anti-smuggling checks. When they do, they will take the truck off-line and ask the driver to present the MRN and EORI they have for each consignment.

- The driver must follow the port's local procedures for the presentation of the TAD, ATA Carnet and TIR Carnet.
- If the goods are returning to the UK on an ATA Carnet, and the last stamp has been put on the Carnet by UK Border Force, this will be the end of the ATA Carnet process.

## After the UK border

- On disembarkation from the ferry or Le Shuttle train, the driver will proceed away from the port or terminal as they do now;
- If the movement is being made under CTC, the driver must present the TAD to an Office of Destination or an Authorised Consignee, where the transit procedure will be closed;
- The goods will then be subject to UK import procedures. If and MRN or/and EORI are already available these will allow the goods to be cleared immediately. Otherwise the driver must take the goods to facilities at the Authorised Consignee or Office of Destination where the transit movement ends.
- If the movement is being made under the ATA Convention, the driver should give the ATA Carnet to the recipient of the goods when they are delivered;
- If the movement is being made under the TIR Convention, the driver must present the TIR Carnet and ensure it is stamped by UK Broder Force either when the goods leave the customs territory of the EU or arrive at an Office of Destination.

## **Transporting animal, plant, and other controlled products**

Hauliers and drivers who transport animal, plant, and other controlled products, need to be aware of changing rules and routes. The haulier and drivers should not start to move these types of goods until they are certain that the:

- Importer or exporter have checked that the route they intend to take is appropriate (eg Place of First Arrival (PoFA) or Border Inspection Post (BIP));
- Border location they intend to use is authorised to move goods they are carrying into or out of the UK (eg Place of First Arrival (PoFA) or Border Inspection Post (BIP)).

## **Exporting animals, animal products, fish and fishery products to the EU**

- Traders transporting animals or animal products from the UK to the EU will need to apply in advance for an Export Health Certificate (EHC);
- The trader will need to make sure the EHC is signed by an authorised person after the consignment has been inspected;
- The trader must check that the route the driver takes will allow for the consignment to be checked at the correct Border Inspection Post (BIP) at the first EU country reached;
- The driver needs to confirm with the trader or haulier that the EU-based import agent has told the relevant BIP about the arrival of the consignment at least 24 hours before the intended arrival;
- The driver must carry a physical copy of each EHC for their consignment(s);
- The EHC must be checked at the EU BIP.

## **Exporting marine caught fish for human consumption**

- In addition to an EHC, exporters of wild caught marine fish for human consumption will need to obtain a UK Catch Certificate for each consignment to the EU.
- Exporters will send a copy of the documents to their EU importer but, in some cases, the documents may also be carried by the driver;
- Hauliers may wish to check that the exporter has obtained a validated UK Catch Certificate before attempting to export UK caught fish and fishery products to the EU.

## **Transporting live animals in the EU**

Traders will need to appoint a representative within the EU country, and they must make sure that they have certain documents from the importer or exporter, as the EU will no longer be accepting UK-issued versions of these documents after the UK leaves the EU.

The documents required are available from the relevant government departments and include:

- A Transport Authorisation;
- A Certificate of Competence;
- A Vehicle Approval Certificate;
- A journey log (where necessary).

## **Transporting endangered or protected animals or plant species under CITES**

In a no-deal scenario, endangered or protected animal or plant species under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) can only pass through designated ports.



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