

Deal or no deal?

New rules will prevail if Britain leaves the EU without a deal before October 31



A no-deal Brexit will see new requirements around transporting horses to Europe

More than three years after Britain voted to leave the European Union, nothing has changed, except an increasing sense of desperation at our politicians' failure to resolve a situation that has left the country deeply divided.

For the racing and breeding industries, the threat of a no deal scenario unfolding before the October 31 deadline would present a number of difficulties.

The tripartite agreement that guaranteed the free movement of thoroughbreds between Britain, Ireland and France would be ripped up and replaced by a new system, bringing with it additional requirements concerning the veterinary status and transportation of horses.

If Britain leaves the EU without a deal, owners, breeders and trainers must be aware of the requirements should they wish to send a thoroughbred to Europe for the purposes of racing, breeding or selling after October 31.

HEALTH REQUIREMENTS

Thoroughbred horses do not need an export declaration if they are being shipped for a race, training or breeding purposes. However, the following will apply:

- Horses will need to be tested in the 30 days prior to travel to show that they are free of certain diseases. (The EU will decide on the UK's animal health listing. This listing will dictate which diseases need to be tested for before a thoroughbred can be moved to Europe.)

- Before a registered horse is exported, it must be kept on a UK holding (or a country with similar health status) under veterinary supervision for 40 days.

- Weatherbys horse passports will be valid, subject to studbook listing by the EU. If there is no studbook listing, you will need a government-issued ID.

To move horses to the UK from the EU, check whether you need to use new notification processes for imports from EU and non-EU countries.

TRANSPORT REQUIREMENTS

UK transporters - that includes owners, trainers and breeders - who are moving horses in the EU must appoint a representative within an EU member state and apply to the relevant member state to receive a transport authorisation, certificate of competence, vehicle approval certificate and journey log where necessary.

- Horses will only be able to enter the EU through a Border Inspection Post (BIP) designated for the specific consignment; an EU BIP requires notice 24 hours in advance.

- As well as carrying your UK driving licence, drivers might also need an international driving permit to drive in some EU and European Economic Area (EEA) countries.

- UK operators must have a standard international operator licence for journeys to, through or from the EU

and EEA. An EU community licence is also needed. Existing community licences can be used until December 31, 2019 even if there is a no-deal Brexit.

- UK Drivers need a Driver Certificate of Professional Competence (CPC) qualification to drive a lorry professionally in the UK and other EU and EEA countries. To work for both EU and UK companies after Brexit, you need to exchange a UK Driver CPC qualification for an EU one.

- If there is a no deal Brexit you can use your existing EU Community Licence if the journey is entirely within the EU or EEA until December 31, 2019. European Conference of Ministers of Transport (ECMT) permits are needed for journeys through EU and EEA countries to ECMT countries not in the EU or EEA. Only two cabotage or cross-trade jobs within seven days of making an international journey are allowed until December 31, 2019.
- Regarding insurance, drivers must carry a Green Card for the vehicle they're driving if there is a no-deal Brexit.

- Commercial trailers weighing over 750kg and non-commercial trailers weighing over 3,500kg must be registered.

CUSTOMS, VAT AND TARIFFS

If you move horses to or from the EU after a no-deal Brexit you will need an Economic Operator Registration and Identification (EORI) number that

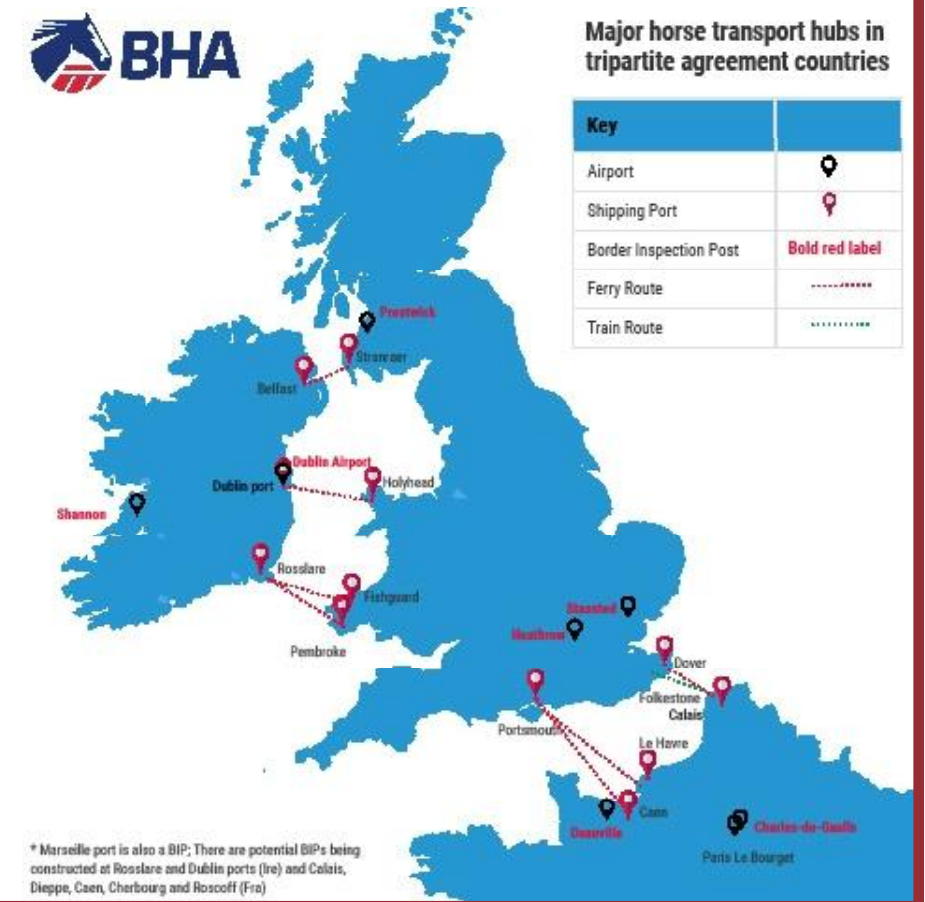
ENHANCED VETERINARY CHECKS UNDER NO DEAL BREXIT

A no deal Brexit would result in veterinary checks on UK thoroughbreds once they have arrived at a Border Inspection Post at their European destination. The accompanying table shows the location of BIPs and airports and shipping ports.

The veterinary checks would cover both documentation and physical examination of the horses, which could take considerable time and should be factored into travel plans.

The UK government does not plan to reciprocate the increased border checks on thoroughbreds coming into Britain from European countries, namely France, Ireland and Germany.

For more details on the guidelines around the export of thoroughbreds from Britain to Europe in the event of a no deal Brexit see gov.uk/guidance/export-horses-and-ponies-special-rules.



starts with GB. Customs declarations can be handled in-house or through a third party and you must check if you are eligible for simplified customs procedures. The UK customs declaration must be made when the horses arrive.

- You must determine the value and find out the commodity code for your horses to confirm the rate of duty and VAT you'll need to pay. Check if there are any duty relief schemes.
- The EU will apply tariff rates of up to 11.5% for gelded Thoroughbreds exported from the UK to the EU. You should pay any tax or duty you owe in the destination country and usually there is no UK duty on exports.
- You should choose the right customs procedure code for your horses which will help you work out the customs or excise processes that you may want to use. For exports via roll on roll off ports or the Channel Tunnel, you or your customs agent must complete a combined safety and security and customs declaration before the goods get to the departure port. For other routes for export, this needs doing

before your horses board. For imports via roll on roll off ports or the Channel Tunnel, make your customs declaration before checking onto the ferry or train on the EU side.

- UK VAT-registered importers can account for import VAT on your VAT return. If registered for VAT, the VAT is zero rate on horses you export.

EU NATIONALS IN THE UK

The UK government has launched a 'Settled Status' scheme for EU and EEA citizens resident in the UK - and their families - before 11pm on October 31, 2019 to apply for the right to settle in the UK permanently following the UK's withdrawal. This scheme will be open until at least December 31, 2020. EU and EEA citizens should apply for this status as soon as possible.

- The rights of Irish citizens to remain in the UK are unaffected owing to the Common Travel Area agreement between the UK and Ireland in the event of a no deal.
- Under no deal, the UK government has recently outlined that EU citizens

who move to the UK after October 31, 2019 will be able to apply to a European Temporary Leave to Remain scheme for a residency of up to 36 months.

WHAT HAPPENS IF THERE IS A DEAL?

If the UK and EU both agree, and ratify, a Withdrawal Agreement this will trigger an Implementation period under which, while the UK will no longer be a member state of the EU, the existing rules and regulations will continue.

This includes the rights of EEA citizens to move freely into and work in the UK, and may include the tripartite agreement for movement of thoroughbreds between the UK, France and Ireland. Nonetheless, this will not be a permanent arrangement as the next phase of negotiations will be to discuss the UK's future trading and security relationship with the EU, and considerations such as the EU's Animal Health Law (due to take effect in April 2021) will be key.

For the latest updates regarding Brexit please see britishhorseracing.com/regulation/brexit.