

No Deal Brexit risks and contingencies

No	Government Technical Notice	Issue	Rel. to LG	Rel. to WMs	Government response/assessments	Priority	Traffic light
A - EU Funding							
6	Guarantee for EU funded programmes (23/8, 14/9)	Enabling completion of projects using EU funds.	Yes	Yes	Will guarantee funding for all projects agreed before 29 March 2019. This was extended to projects directly funded by the Commission, projects with a third country until 2020 and agricultural funding until 2020. Latest update includes departmental contacts for each EU funding stream.	High	
5	Horizon 2020 funding (23/8)	Enabling continued participation.	No	Yes – Universities and businesses – research and innovation	All funding agreed before March 2019; all funding through projects open to third countries until 2020.	Medium	
1	Connecting Europe Facility energy funding (13/9)	Process for achieving Common Interest status for cross-border energy projects – enables CEF grants to be awarded.	No	?	Government guarantee will ensure funding continues where already granted. Requires secondary legislation?	Low	
2	ERDF (13/9)	Enabling completion of projects.	Yes	Yes	As above.		
3	ESF (13/9)	Enabling completion of projects.	Yes	Yes	As above.		
4	UK LIFE projects (13/9)	Environmental, conservation and climate change projects – maintaining funding.	Yes	Yes	Funding guaranteed for UK projects agreed before 29/3/19 and ongoing projects led by organisations in other EU nations.	Low	
B – Driving and transport							
1	Driving in the EU (13/9)		No	Yes	Drivers will require an International Driver Permit in addition to their UK licence from 29/3/19.	Low	

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					Govt. will make EU IDPs available (two different types depending on which country) from 1/2/19. IFG: concerns raised by NAO about capacity to deliver IDPs – no detailed delivery plans at July.		
2	Aviation safety, Aviation security, Flights to and from the UK (24/9)	Aviation regulations and flights between the UK and the EU, and a variety of international agreements, in the event of a no deal individual airlines will have to seek new agreements from respective states.			EU Commission has acknowledged that a 'bare bones' agreement on air services would be desirable. Individual airlines will be responsible for the agreements if no deal is met, however the GOV is working to ensure that the deals previously in place continue after exit. Flying internationally will not be disrupted.		
5	Operating bus or coach services abroad (24/9)	Currently UK bus/ coach operators must hold a Standard International Operator's Licence and Community Licence for journeys to and from the EU. The Community licence will become invalid in the event of no deal.			EU states can individually grant permission for UK companies to enter but this is not guaranteed. The UK intends to join the Interbus agreement which would allow coach holidays and tours to continue, however UK operators would not be able to undertake work entirely within the EU. Plus the extension of Interbus to cover regular services will not have taken effect by March 2019 so a UK operator picking up and dropping off the same passengers within the EU would not be permitted under Interbus regular service rights. There is a slight chance the UK would not be able to join Interbus, meaning bilateral agreement would have to be drafted.		
6	Vehicle insurance (24/9)	UK drivers will no longer be able to drive freely through EU and EEA countries and			UK drivers will not need to purchase additional third party cover. Green Cards can be requested from insurance providers free of charge. EU and		

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		will be required to carry a Green Card.			<p>EEA drivers will also require a Green Card in the UK.</p> <p>It is possible to purchase insurance from each country travelled to (frontier insurance), however this is not always available and GOV recommends getting a Green Card.</p> <p>Commercial operators which have fleet insurance, must ensure you have Green Cards for each vehicle.</p>		
7	Rail transport (12/10)	<p>EU Law regulates how the rail market can be structured and the rights of passengers.</p> <p>Plus to operate either domestic or cross border operators must obtain licenses and authorisations from EU regulators.</p>			<p>The UK will pursue bilateral deals to ensure cross border travel and will adopt EU law onto the UK statute book on exit day.</p> <p>An EU Commission TN has indicated operator licences issued by the ORR (as the UK's licensing authority) to operators currently operating in the EU would not remain valid in the EU after exit.</p> <p>The GOV are proposing to recognise operator licences in the UK that have been issued by another EU country for 2 years following exit day in a 'no deal' scenario. After this an operator would need to apply to the ORR for UK documentation.</p>		
8	Meeting rail safety and standards (12/10)	Most of the rules on technical standards, interoperability and safety are contained in EU law.			The same as above, GOV will take on EU law and is seeking bilateral deals, yet the Commission has indicated it will not accept certification from the ORR.		
C – Farming							
1	Farm payments (23/8)	Maintaining support.	No	Yes in non-constituents	Legislation will ensure continued payment on current basis until the end of this Parliament (2022 or sooner). Consultation papers have been published on future arrangements.	Low	

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					IFG: Doubts about whether the legislation will be in place by March (Parliamentary time pressures). No clarity on exports of animal or plant products.		
2	Rural development funding (23/8)	Funding for projects of environmental value – maintaining support.	No	Yes in non-constituents	Guarantee of funding for projects already agreed and new applications to 2020.	Low	
3	Regulating pesticides (12/10)	PPP's are subject to EU regulations.			The GOV has indicated it will establish an independent standalone PPP regime. EU standards will continue, however secondary legislation is being drawn up to make technical corrections. The Health and Safety Executive (HSE) will continue to operate as the national regulator.		
4	Plant variety rights and marketing of seed and propagating material (12/10)	EU legislation provides a framework for protection of plant variety rights, largely superseding the UK's longstanding national system.			<p>Existing plant variety rights would still be valid however rights not approved before the 29th March 2019 will need to be made to the Animal and Plant Health Agency (APHA). APHA is reviewing its processes to mitigate the resulting increased costs for plant breeding businesses.</p> <p>UK certified seed and propagating material and UK DUS testing of plant varieties would no longer be accepted or marketable in the EU, the UK will ask the EU to recognise its certification processes as equivalent, but there are no guarantees. Varieties that are already registered on the EU Common Catalogue, but not on the UK list, are currently being added to the UK National List, which would allow them to be marketed in the UK.</p>		
5	Breeding animals (12/10)	The UK would no longer be able to trade purebred animals automatically with other recognised states.			UK zootechnical businesses which met certain Commission standards would still be able to trade.		

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					EU-recognised breed societies and operations operating in the UK would not change initially. They would continue to have access to the UK in the same way as they do now.		
D - Civil legal cases							
1	Handling civil legal cases (13/9)	EU legal framework that governs cross-border legal disputes – provisions for UK would expire at 29/3/19. Will affect businesses and families involved in disputes.	No	Yes	Govt would repeal most of the existing EU legislation and implement an enhanced form of the existing UK laws relating to cross-border cases. IFG: This will be part of the extensive range of primary and secondary legislation to be taken through in the event of no deal and there is therefore some doubt that this can be achieved before March 2019.	Low	
E - Importing and exporting							
1	Classifying goods for trade tariffs (23/8)	Goods will be subject to new EU and UK trade tariffs on the same basis as third countries.	No	Yes	Taxation (Cross Border Trade) Bill is about to receive Royal Assent and will enable new UK tariffs to be set. EU will apply Most Favoured Nation tariffs to UK exports under WTO rules. UK will apply its own MFN rates to EU imports and will determine these before March. Exporters and Importers will have to follow new guidance to be published to classify their goods. Existing standard commodity coding systems will be used. These changes could create significant additional costs on businesses and it is likely that they will have insufficient time to factor these into business planning.	High	
2	Exporting controlled goods (23/8)	Regulations apply to the export of controlled goods – military, firearms, “dual use” goods and goods that may	No	Yes	Existing regulations will be incorporated into UK law and continue. Export licenses would now be needed.	Low	

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		be used for torture or capital punishment.					
3	Trade remedies (23/8)	EU provisions to investigate and remedy unfair trading practices would no longer apply.	No	Yes	A new UK Trade Remedies Authority is being set up. Uncertainty on timescale for this?	Low	
4	Trading with the EU (23/8)	<p>There would be immediate changes to the procedures for trading between the UK and EU and the free circulation of goods would cease.</p> <p>Businesses would have to apply the same procedures as for trade with non-EU countries: customs declarations, customs duty and safety and security declarations by carriers. Excise Movement Control System would no longer be used for goods from/to the EU.</p>	Yes	Yes	<p>Technical notice provides advice to businesses on carrying out scenario planning and suggests this is done now – including communication with trading partners.</p> <p>Businesses will need to register with the EU as an economic operator (further advice to follow), update contracts to define themselves as an importer, consider whether to engage a customs broker or procure relevant software, register with HMRC as an importer and prepare for payment of VAT and duties on excise goods.</p> <p>Government has applied to re-join the Common Transit Convention.</p>	High	
5	Exporting GM food and animal feed products (12/10)	Businesses will need to be established in the EU or EEA or have a representative in those countries if they wish to trade in the EU.			UK procedures on becoming a representative are available on the Food Standards Agency website. Businesses will need to provide details of the representative to the European Commission. This could be a branch of the business which is established in the EU or EEA or another business. The requirement for non-EU country representation would apply to all feed products exported to the EU.		
6	Exporting objects of cultural interest (12/10)	There are no import rules for the UK or the EU, but EU regulation does apply to			In autumn 2018 a Statutory Instrument will be laid that would revoke EU regulations in relation to the cultural objects export licensing system on		

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		exported objects travelling outside of the EU.			<p>exit day. From that date, you would need only a UK licence to export cultural objects from the UK to any destination, and we will stop issuing EU licences.</p> <p>Those who want to export from the EU to the UK may be required to fulfil further administrative requirements and would be encouraged to consult the licensing authorities in the country of export.</p>		
7	Trading and moving endangered species protected by CITES (12/10)	Species that are currently freely moved and traded between the UK and the EU (those listed in Annexes B - D) would require a CITES permit or import/export notification.			All species controlled under CITES between the UK and the EU would need to follow the same processes as those currently in place for movement between the UK and non-EU countries. Businesses or individuals trading in or moving endangered species outside the UK would need to check the specific requirements with the intended import or export country on the Global CITES website, and either apply to the Animal and Plant Health Agency (APHA) for a CITES permit or request and complete an import notification form.		
8	Maintaining the continuity of waste shipments (12/10)	The EU Waste Shipment Regulation (WSR) implements the provisions of the Basel Convention and the OECD decision into EU law providing a system to control the movement of waste in Europe for energy recovery or recycling.			<p>In regard to waste shipping approvals, Defra is currently contacting EU countries to make arrangements and UK exporters will be provided with more info before Nov 2018.</p> <p>In regard to waste shipments to the EU, the UK will be treated as any other OECD country and would have to apply for a duly reasoned request (DRR) to ship waste to the EU, EU states would be prohibited from shipping waste for disposal to the UK. Recyclable waste would remain the same, whether going from the UK to the EU or vice versa.</p>		

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9	Existing free trade agreements (12/10)	As a member of the EU, the UK currently participates in around 40 free trade agreements with over 70 countries. These will cease in the event of no deal.			<p>The GOV are seeking to bring into force bilateral UK-third country agreements, these new agreements will replicate existing EU agreements and the same preferential effects with third countries as far as possible. If these deals aren't in place trade would then take place on a 'Most-Favoured Nation' (MFN) basis, which is sometimes referred to as 'World Trade Organization (WTO) Terms'.</p> <p>The Trade Bill contains a reporting requirement stating that the GOV will publish a report before these new free trade agreements are ratified on any significant changes to the new trade-related provisions</p>		
10	Importing high-risk food and animal feed (12/10)	The current regime for importing high-risk food and feed into the UK is regulated by EU legislation.			<p>The UK will begin to decide what is considered to be high risk.</p> <p>In order to react to serious incidents quickly the UK will require all importers of high risk food and feed from the EU to pre-notify them using the new UK import notification system.</p>		
F - Labelling products and making them safe							
1	Appointing nominated persons (13/9)	Companies can appoint nominated persons to carry out legally required functions on their behalf, e.g. submission of technical documents on products to market surveillance authorities, attaching labels to products.	No	Yes (manufacturers)	<p>Nominated persons will no longer be recognised. For a time limited period existing nominated persons based in the EU will be recognised in the UK, but thereafter new nominated persons will have to be based in the UK. Businesses with a representative based in the UK will no longer be able to rely on them for products placed in the EU market.</p> <p>For cosmetics responsible persons in an EU country working for companies wishing to place products in the UK will not be recognised.</p>	High	

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2	Genetically modified organisms (23/8)	Import/export of GMOs approved in the UK under EU law. Import/export of GMOs part of single market regulations.	No	Yes	No implications on trials as EU law will be incorporated and approval already delegated to the UK and nations. Future import/export with EU would require conformance with EU approvals.	Low	
3	Labelling tobacco goods (14/9)	EU regulations incorporated in UK law on tobacco and e-cigarettes.	Yes (trading standards)	Yes	Regulations will be brought in under the Withdrawal Act to ensure current rules still apply and a UK system can be introduced. However new systems would need to be created by March for approving packaging designs and warnings which would be UK rather than EU based. Consultation on this to be published in September.	Low	
4	Producing and labelling food (24/9)	EU legislation on labelling and composition of a range of food products.	Yes (trading standards)	Yes	Initially legislation will be incorporated and rolled over through the Withdrawal Act, with some secondary legislation to ensure continuity. However labelling will need to change to remove references to EU legislation. Government may also consult on new EU rules to be brought in in 2020. EU addresses of manufacturers or importers would no longer be valid on labels. Govt will amend legislation to enable mineral water regulations to continue, however exporters will need to be prepared to apply to the EU for recognition of their product.	Medium	
5	Organic food (23/8)	EU regulations to certify food products as organic.	Yes (trading standards)	Yes	Intention is to continue with the same regulations and organic control bodies in the UK. Labelling on new stock will have to be modified. Control bodies will have to seek endorsement from the EU in order to approve organic products from the EU. This cannot be done until the UK becomes a third country and takes 9 months, so govt. is seeking an "equivalence agreement" for the duration.	Medium	

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9	Geographical names of goods (24/9)	Products can be protected from imitation throughout the EU under Geographical Indication (GI) rules – there are 86 currently protected UK products.	Yes (trading standards)	Yes	<p>The UK would adopt its own WTO TRIPS compliant GI scheme and would no longer be required to conform to the EU scheme. EU producers would be able to apply to the UK scheme and all 86 UK GIs would automatically be recognised in the UK scheme. A new logo will be available and companies would need to prepare for its use.</p> <p>Details will be published in early 2019.</p> <p>Producers will need to apply to the EU as a third country for recognition of existing and new GIs across the EU market. However the govt. <i>expects that</i> international agreements will continue to protect the existing 86 GIs.</p>	Low	
10	Chemicals (REACH) 24/9	The UK chemicals industry is regulated through a framework largely based on EU legislation. Importers into the EU must employ an agent within the EU to ensure compliance.			The UK will establish a domestic regulatory framework and build the capacity to undertake functions currently performed by the European Chemicals Agency (ECHA). In the meantime the Health and Safety Executive will perform this role.	High	
6	Trading under mutual recognition principle (13/9)	Mutual recognition principle (MRP) enables trade in goods that are regulated under national rather than EU-wide rules (“non-harmonised goods”). This includes e.g. furniture, textiles, bicycles and cooking utensils.	Yes (trading standards?)	Yes	<p>The UK will no longer fall within the scope of the MRP. Businesses will need to consider the demands of the first EU country in which their non-harmonised goods enter the market (not any countries through which they travel). Goods already in the EU under MRP will be OK. UK importers of non-harmonised goods and EU exporters to the UK will need to take action.</p> <p>Action means ensuring that goods meet the requirements of the nation to which they are exported.</p>	High	

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7	Trading goods regulated under the "New Approach" (13/9)	<p>EU regulations set out the "essential safety regulations" that must be followed before goods are placed into the EU market. Manufacturers can choose to demonstrate compliance by the adoption of "harmonised standards". In construction materials these are mandatory.</p> <p>The legislation sets out how products can be tested: self-declaration, assessment by an EU accredited body or assessment of a product's design by a notified body.</p> <p>Manufacturers must affix standard labelling and codes are also affixed by notified bodies.</p>	Yes (trading standards?)	Yes	<p>Goods already placed on the UK market will be able to circulate for a time-limited period.</p> <p>Conformity assessments in the UK will no longer be acceptable in the EU market. Goods will have to be re-tested and re-labelled by an EU recognised conformity body.</p> <p>Notified bodies in the UK will be granted a new UK status and listed on a new database to check conformity against UK standards (initially the same as EU).</p>	High	
8	Vehicle type approval (13/9)	<p>Vehicle and part manufacturers must show their products conform to EU safety and environmental standards before placing them on the market. Type approval bodies in each country may appoint technical services providers to test products and parts.</p>	Yes (trading standards?)	Yes	<p>Type approvals would no longer be accepted in the EU or the UK.</p> <p>Manufacturers would need to obtain a UK approval for import to the UK and existing EC approvals would need to be converted. Government plans to issue provisional approvals for 2 years before requiring full conversion to UK approval.</p> <p>For exporters from the UK to the EU new approvals must be obtained under a legislative procedure proposed by the EU in June.</p>	High	

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					Details of both these processes will be set out by the UK and the EU in due course.		
9	Control on mercury (12/10)	The use, disposal, storage and movement of mercury in the UK is currently regulated through a framework based on EU Regulation 2017/852 on mercury.	Yes (trading standards)	Yes	The competent authorities would remain the same as designated under the Control of Mercury (Enforcement) Regulation 1200/2017. In 2017 only a small amount of mercury was brought to the UK from the EU, so there should be little impact on business.	Low	
10	Regulating biocidal products (12/10)	The Biocidal Products Regulation (EU) No 528/2012 (BPR), regulates the EU biocides market.	Yes (trading standards)	Yes	The GOV plan to establish a standalone biocidal products regime. The Health & Safety Executive (HSE) would continue to act as the competent authority for the UK on behalf of the Secretary of State and the devolved administrations, building on its existing capacity and capability.	Medium	
11	Classifying, labelling and packaging chemicals (12/10)	The directly-applicable CLP (Regulation (EC) No 1272/2008) regulation adopts, throughout all EU countries, the UN Globally Harmonised System (GHS) for the classification and labelling of chemicals.	Yes (trading standards)	Yes	The UK will create its own independent chemical regime. At the time of exit, as the UK would effectively adopt the GHS in the same way as the EU, however there will be changes made which are stated in detail on the TN.	Medium	
12	Health marks on meat, fish and dairy products (12/10)	The health or identification mark must be oval in shape and state: 1. that it's produced in the EU 2. the EU country it's from 3. your unique approval number	Yes (trading standards)	Yes	The foods standards agency (FSA) is not planning to change approval numbers, but the health and identification marks will change. The changes are going to be as minimal as possible, the mark will need to meet EU guidelines for a third country health and identification mark. Businesses and local authorities will be informed of the changes after the consultation is complete.	Medium	

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13	Export and import of hazardous chemicals (12/10)	The European Chemicals Agency (ECHA) facilitates the operation of the Export and Import of Hazardous Chemicals Regulation (known as the PIC Regulation) through its ePIC IT system.	Yes (trading standards)	Yes	The GOV will establish a standalone PIC regime, which would initially follow the previous EU standards, however although much of the EU system will continue, there will be changes which are outlined in the TN.	Medium	
G - Meeting business regulations							
1	Accessing public sector contracts (13/9)	Regulations require public contracts above a threshold to be advertised through EU-wide systems.	Yes	Yes	Government will change the procurement regulations through amendments to existing legislation and create a replacement notification system for the UK market. The UK will also accede to the WTO regulations on public procurement in its own right in due course.	Medium	
2	Broadcasting and video on demand (13/9)	The Audio Visual Media Services Directive (AVMSD) regulates broadcasting across the EU to countries beyond a broadcaster's country of origin.	No	Yes	The UK is also a signatory to the Council Of Europe Convention on Transfrontier Television (ECTT) which will still operate after Brexit and applies in 21 of the EU nations. However the position post Brexit is not yet fully clear and companies are advised to check their individual licensing situation in relation to all the countries where their product is available.	Low	
5	Copyright (24/9)	International treaties on copyright will continue regardless of EU membership, but there is also a body of EU law on copyright.	No	Yes	<p>EU directives and regulations will continue to apply as they will be incorporated in UK law, with adjustments.</p> <p>However, EU cross-border mechanisms will cease to apply and the UK will be treated as a third country. These cover database rights, portability of online content, satellite broadcasts, online rights to musical works and the "orphan works copyright exception" (works of art online).</p> <p>Trans-border transmission of accessible format copies of copyright works – the UK will not have</p>	Medium	

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					ratified the Marrakesh Treaty before exit so there will be a gap in legal coverage.		
6	Exhaustion of intellectual property rights (24/9)	The UK is currently part of the EEA exhaustion scheme which means that IP rights are exhausted once the property is placed into the market in member countries with the right holder's permission.	No	Yes	Government will continue to recognise this scheme for a temporary period. However, companies are advised to check with their rights holders and seek legal advice in the case of "parallel imports" of goods from the UK to the EEA (these are goods that are non-counterfeit but produced after IP rights have been exhausted). Government is considering the best way to revise the regime after the temporary period.	Medium	
3	Merger review and anti-competitive activity (13/9)	Competition and mergers regulation for companies trading across the EU and the UK currently operates at an EU level and uses the EU courts.	No	Yes	The UK regulation system will continue as at present, but there will need to be parallel processes for both approval and for public complaints where companies operate across Europe.	Low	
7	Patents (24/9)	Only a few areas of UK patent law derive from the EU. These include extended protection for certain products after patent expiry, biotechnological inventions, export of medicines to countries with a public health need and trials of pharmaceuticals.	No	Yes	Existing EU law will be incorporated into the UK system, so that protections continue as now.	Low	
8	Trade Marks and designs (24/9)	Trademarks and registered community designs are covered by EU intellectual copyright law.	No	Yes	Government will ensure that equivalent trademarks or designs are available within the UK. Companies with outstanding applications will have nine months from Brexit to re-apply to the UK system. Government will work with the World Intellectual Property Organisation to ensure continued protection under the Madrid	Medium	

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					and Hague systems. Existing EU trade marks will be replaced with a UK equivalent with “minimal administrative burden”. Businesses are also advised to seek legal advice.		
4	Telecoms businesses (13/9)	The EU common regulatory framework for telecoms has been incorporated into UK law. The European Electronic Communications Code (EECC) is expected to be passed in Autumn 2018 and implemented in 2020.	No	Yes	Government will amend the existing legislation to remove references to EU institutions and processes etc. The Government would be minded to implement most of the provisions of the EECC as it comes into force.	Low	
9	Accounting and auditing (12/10)	UK accounting, corporate reporting and auditing firms currently follow EU rules and regulation, reflected in the UK through the Companies Act 2006 and regulations made under that Act.	No	Yes	The GOV will continue to apply the current laws and rules in place as much as possible, only changing the deficiencies that are caused by the UK's exit from the EU. The GOV is working with devolved governments to ensure future company law regime works across the UK.	Low	
10	Providing Services including those of a qualified professional (12/10)	UK nationals will no longer be able to use the Mutual Recognition of Professional Qualifications (MRPQ) Directive. This will also apply to the Lawyers' Services Directive and Lawyers' Establishment Directive. Service regulations will fall under WTO rules.	No	Yes	In regard to the MRPQ Directive, the GOV will ensure that EEA nationals will be able to seek recognition for their qualifications. Those with recognition already granted will not be affected, those who have applied and are waiting for recognition should be able to continue in line with the MRPQ. The EU Commission has stated that UK nationals seeking recognition before exit day will be unaffected but those seeking to provide services after exit day should check the host states national policies. In regard to service regulations, the GOV will ensure that businesses will not be subject to disproportionate or burdensome regulation, and	Medium	

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					businesses and consumer rights are protected by the UK Competent Authorities.		
11	Structuring your business (12/10)	The UK currently follows the EU rules and regulations that fall under the area of company law, which set out how companies and other legal entities operate within the Single Market, how they register and how they operate across country borders in the EU.	No	Yes	<p>The GOV will ensure that the UK continues to have a functioning regulatory framework for companies and that, as far as possible, the same laws and rules that are currently in place continue to apply.</p> <p>UK companies with branches within the EU will see rule changes as they would be treated as any other third country company. UK citizens may face restrictions on their ability to own, manage or direct a company registered in the EU, and UK investors in EU businesses may be restricted on the amount of equity that they can hold.</p>	Low	
H - Money and tax							
1	Financial services (23/8)	The majority of UK financial services legislation currently derives from EU law. Financial market is highly integrated and “passporting” enables conduct of business across borders. Some UK businesses are currently regulated by EU agencies – e.g. credit rating companies.	No	Yes	<p>The UK would be outside the EU framework.</p> <p>The UK intends to introduce a Temporary Permissions Regime (TPR) for three years to enable continued passporting of EU companies in the UK. Draft legislation on the TPR has been published and the Financial Conduct Authority has published its proposed approach to regulating it. Further legislation will also be brought forward and functions of EU bodies will be moved to the UK. These provisions will ensure that business and individual customers of banks from the UK or the EU will continue to receive services for three years.</p> <p>If there is no action by the EU, access to UK services abroad would cease and UK firms will lose their passporting rights.</p>	Medium	

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					Discussions are underway between the Bank of England and the European Central Bank about risk management and EU wide legislation.		
2	VAT for businesses (23/8)	EU rules determine when VAT is chargeable on imported goods and where it should be charged.	No	Yes	<p>The UK would introduce “postponed accounting” for VAT chargeable on goods imported to the UK from the EU. This will also be applied to imports from outside the EU.</p> <p>A new digital system for charging VAT on parcels coming into the UK will be put in place and EU companies will need to register with this.</p> <p>The NOVA system for imported vehicles will continue to operate and VAT would now be chargeable on vehicles from the EU.</p> <p>The EU would treat the UK as a third country for VAT purposes. Businesses exporting to the EU will be able to zero rate goods and VAT would be charged in the country of arrival. Businesses should check with the country of arrival on their local processes.</p>	Medium	
J - Personal data and consumer rights							
1	Data protection (13/9)	Currently the rules that govern the collection and use of data are set at EU level by the General Data Protection Regulation (GDPR). Under GDPR rules organisations are only permitted to transfer data outside the EU if permitted to do so.	Yes	Yes	<p>Data is governed at UK level by the Data Protection Act and the UK aims to incorporate the GDPR into UK law under the EU Withdrawal Act.</p> <p>The EU has stated that if it deems the UK's level of personal data protection equal to its own then it will make an adequacy decision and allow personal data to be transferred. However the European Commission has declared that it will</p>	Low	

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					not make this decision until the UK has become a third country. The Information Commissioner will remain the UK's independent supervisory authority on data protection and the UK will continue to push for close cooperation between the Commissioner and the EU.		
2	Geo-blocking of online content (12/10)	Geo-blocking regulation will take effect on the 3 rd December 2018, prohibiting a variety of practices	No	Yes	The UK version will cease to exist, but UK companies working in the EU will still be regulated along with all other non-EU businesses selling goods and services into the single market. After the repeal of EU geo-blocking regulations companies will be able to discriminate against customers, for example, a UK trader would be able to offer different terms to a UK customer compared to a French customer.	Low	
3	Consumer Rights (12/10)	Changes to 1. consumer protection and cross-border protection 2. alternative dispute resolution and online dispute resolution; 3. package travel 4. timeshare 5. textile labelling 6. footwear labelling	No	Yes	The govt. are working to ensure that consumer protections that are currently enjoyed remain in place after exit. There will be slight changes but the govt, in conjunction with the withdrawal bill, aim to make sure that there is as little disruption as possible.	Medium	
K - Protecting the environment							
1	Industrial emissions (13/9)	The EU sets industrial emissions law through the Industrial Emissions Directive (IED) and necessitates that larger industrial facilities use Best	Yes	Yes	The EU Withdrawal Act will ensure the implementation of the existing EU environmental law, including the IED and BAT Conclusion Implementing Decision made under it.	Medium	

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		Available Techniques (BAT).			<p>The European Commission control the power of the Sevilla process, where the BAT conclusions are formulated. In the event of a no deal, Britain would no longer partake in the Sevilla process.</p> <p>The government and the devolved administrations will begin to develop UK BAT Conclusions. The Clean Air Strategy consultation for England will seek views from industry and interested parties to help shape the BAT regime.</p>		
2	CO2 Emissions for new cars (13/9)	Emissions from new passenger vehicles and light commercial vehicles are restricted by regulations (EC) 443/2009 and (EU) 510/2011.	No	Yes	<p>The regulations will be brought under UK legislation and the DfT will lay a statutory instrument to correct any deficiencies.</p> <p>The UK will continue to maintain regulations that are as ambitious as the current arrangements.</p> <p>The DfT will take over from the role European Commission was playing in the enforcement of CO2 standards for registered UK cars and vans.</p>	High	
3	Environmental standards (13/9)	EU environmental law currently covers areas including air quality, wastes and resources, water, wildlife and habitats, chemicals and pesticides.	Yes	Yes	<p>There is already large body of environmental legislation which covers the UK and the EU Withdrawal Act 2018 will ensure that all EU environmental law continues to as UK law.</p> <p>On 18 July 2018, the UK Government announced the first Environment Bill for more than 20 years, building on the vision set out in the 25 Year Environment Plan to achieve 'Green Brexit'.</p> <p>The government will establish a new statutory body to hold government to account on environmental standards but there is an understanding that interim measures may be needed in a no deal scenario.</p>	High	

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4	Fluorinated gases and ozone (13/9)	Currently the EU Ozone Depleting Substances Regulation (1005/2009) restricts the use of F Gas which damages the ozone layer.	Yes	Yes	<p>Even in the event of a no deal the UK will continue to maintain the F Gas regulations, and fulfil its legal obligations under the Montreal Protocol.</p> <p>The UK would continue using the same quota method and schedule to phase down HFCs by 79% against 2009-12 levels by 2030.</p> <p>To determine the quantities for each company, the EA and Defra have written to EU quota holders asking for the quantity of HFCs they placed on the UK market in 2015, 2016 and 2017.</p>	Medium	
5	Meeting climate change requirements (12/10)	The UK will be excluded from the EU Emissions Trading System and will not have guaranteed access to the Consolidated System of European Registries which includes the EU Emissions Trading System Union Registry and the UK's Kyoto Protocol National Registry.	No?	Yes	<p>The govt. took steps to provide certainty to UK operators in meeting their compliance obligations for the 2018 compliance year and brought the compliance year forward to before the exit day on the 29th March. The GOV intends to maintain Monitoring, Reporting and Verification arrangements to ensure continuing transparency over Greenhouse Gas emissions.</p> <p>Operators and traders with EU Emissions Trading System allowances in their account in the UK section of the Registry should plan for a loss of registry access and consider taking action to manage the risk of this happening.</p> <p>The UK may not be able to the ability to provide administrative support to holders of accounts in the UK Kyoto Protocol National Registry, and will publish advice on this at the end of the year.</p>	Medium	

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L - Regulating energy							
1	Civil nuclear (23/8)	The EU Commission implement all of the nuclear safeguards for the UK.	No	No	<p>The UK passed legislation so the Office for Nuclear Regulation (ONR) oversees domestic safeguards instead of Euratom, and has signed international agreements with the International Atomic Energy Agency (IAEA) to replace the existing trilateral agreements.</p> <p>All operators in the UK civil nuclear sector will need to comply with the new domestic safeguards regime as it applies to them.</p> <p>In regard to special fissile material, if the UK leave without a deal then Euroatom ownership of such material in the UK will end.</p>	Low	
2	Nuclear research (23/8)	Britain will leave Euroatom, no longer be a member of Fusion for Energy and be excluded from the International Thermonuclear Experimental Reactor project.	No	Yes	<p>The UK Government has confirmed it will guarantee funding for successful bids until the end of 2020 for UK organisations who successfully bid to the EU for competitive grants.</p> <p>Internationally, the UK is on track to have bilateral Nuclear Cooperation Agreements in place with key partners ahead of March 2019.</p> <p>Plus, the UK government is willing to discuss with International Thermonuclear Experimental Reactor opportunities for UK researchers, as in the event of no deal this project would not be open to the UK.</p> <p>The government intends to implement a similar process to that being used for Horizon 2020 to ensure beneficiaries of Euratom Research & Training grants continue to receive payments.</p>	Low	

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3	Oil and gas businesses (13/9)	<p>Hydrocarbon licensing no issue as UK regulated.</p> <p>The International Energy Agency (IEA) and the EU Oil Stocking Directive 2009 /119/EC ('the Directive') ensure that the UK maintains emergency oil stocks, these stocks can be held in the EU on the UK's behalf and the UK can hold stocks for other members.</p>	No	Yes	<p>Hydrocarbon licensing will continue as before, and UK and EU businesses will not need to take any action.</p> <p>In regard to oil, the UK will continue as a member of the IEA but the requirements of the directive will no longer apply. UK oil stocks will reduce by moving from the EU's higher (consumption-based) level, but the UK will still be able to take part in collective actions.</p> <p>EU traded tickets held by UK companies may not operate as they do now, and companies will lose the ability to access the EU market for tickets. Plus there will be changes for companies holding stocks for other countries.</p> <p>BEIS will contact individual companies directly regarding this technical notice.</p>	Low	
4	Trading Gas 12/10	<p>The UK has gas interconnectors (direct pipelines) with Ireland, the Netherlands, and Belgium.</p> <p>EU energy law will no longer apply to the UK and the UK will no longer participate in EU organisations that support the implementation of these laws.</p>			<p>In a 'no deal' scenario, the mechanisms of cross-border trade are not expected to fundamentally change.</p> <p>In the UK, there are no planned changes to either trading arrangements or the approval processes or requirements for access rules. However, interconnector operators should engage with the relevant EU national regulators (in Ireland, the Netherlands, or Belgium) in good time ahead of the UK's exit.</p> <p>Businesses/interconnectors will have to take on the responsibility of contingency planning for 'no-deal', some of the possible steps are outlined in the TN.</p>	Medium	
5	Trading Electricity 12/10	Significant flows of electricity take place across			The govt. and Ofgem are working with interconnectors to ensure new access rules are	Medium	

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		borders between GB, EU UK and NI, which are regulated by EU legislation.			<p>approved in Great Britain and are providing support to interconnectors engaging with EU Member State authorities. The majority of the existing Regulation on Energy Market Integrity and Transparency regime will be maintained domestically with minimal changes.</p> <p>Businesses/interconnectors will have to take on the responsibility of contingency planning for 'no-deal', some of the possible steps are outlined in the TN.</p>		
M - Regulating medicines and medical equipment							
1	Batch testing (14/9)	The UK will no longer be part of the European Medicines agency, meaning that human medicines will need far greater checks and regulations upon entering and being sold in the UK.	No	Yes	<p>The UK desires to ensure that products only need to undergo one series of approvals in one country.</p> <p>The UK will continue to accept batch testing of human medicines carried out in countries named on a list set out by the Medicines and Healthcare products Regulatory Agency.</p> <p>A similar scheme to what was experienced prior to EU exit will followed but the government has stated that it will consider changes if needed and will work with industry to aid supply chain and manufacturing issues throughout the transition.</p>	Medium	
2	Blood and blood products (23/8, 14/9)	The UK transposed quality and safety standards for blood supply in 2005 from the EU Directive 2002/98/EC.	No	Yes	The UK government has stated that blood and blood components from the UK will continue to follow the EU Directives.	Low	
3	Medicines, medical devices and clinical trials (14/9)	Medicines and medical devices are regulated by the EU, but clinical trials are managed nationally by the	No	Yes	The Withdrawal Act will ensure existing EU rules are converted in UK law. The (MHRA) would take on the functions currently undertaken by the EU for medicines on the UK market.	Medium	

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		Medicines and Healthcare products Regulatory Agency (MHRA).			<p>In regard to medical devices, the UK will recognise medical devices approved for the EU market and CE-marked, and comply with Medical Devices Regulation (MDR) and the in vitro diagnostic Regulations (IVDR), which will apply in the EU from May 2020 and 2022 respectively.</p> <p>The new EU Clinical Trials Regulation (CTR) 536/2014 will not be in force in the EU when the UK exits and so will not be incorporated into UK law on Exit day under the terms of EUWA.</p>		
4	Organs, tissues and cells (14/9)	The UK's regulatory framework for organs for transplantation, and tissues and cells for human use, including reproductive cells, is standardised by the EU. Plus, currently some organs, tissues and cells do move around the EU.	No	Yes	<p>The UK already applies the EU directives so the safety standards would not change.</p> <p>Hospitals, stem cell laboratories, tissue banks and fertility clinics would continue to work to the same quality and safety standards as they did before exit but some would need new written agreements with relevant EU establishments. Establishments that hold agreements with third countries will be able to use the template for future agreements with EU states. The UK already meets the EU's standards so agreements should be straightforwardly negotiated.</p>	Medium	
5	Regulatory information (14/9)	The UK are part of a large system of EU regulatory networks for medicines and medical devices.	No	Yes	<p>The UK would have its own processes and systems to manage human medicines and devices regulatory activities. To do this, new systems are being developed for March 2019.</p> <p>MHRA stakeholders should contact the GOV and if necessary (separately) the EU directly to submit regulatory information.</p>	Medium	

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					The GOV will provide communications and guidance on the new processes and systems ahead of March 2019, so that you are able to use them from day one.		
6	Trading in drug precursors (13/9)	UK traders currently trade in drug precursors freely with EU countries.	No	Yes	<p>The UK is transposing the relevant EU regulation into UK law, to enable the drug precursor chemicals regulatory system to operate.</p> <p>The same licences will be needed to trade with the EU as non-EU countries.</p> <p>Traders would need to apply for a registration from the Home Office.</p>	Medium	
N - Satellites and space							
1	Satellites and space programmes (13/9)	The UK will not be able to participate in the development of the Galileo, Copernicus or Space Surveillance and Tracking programmes	No	Yes	<p>Galileo: the majority of position, navigation and timing services provided by Galileo and European Geostationary Navigation Overlay will continue to be freely available to all UK based users. Plus, the govt. will invest £92 million from the Brexit readiness fund on an 18-month programme to design a UK Global Navigation Satellite System.</p> <p>Copernicus: the data produced will still be available to UK users. Yet businesses may want to consider the impact of losing any data not sourced under the free and open data policy.</p> <p>Space Surveillance and Tracking: The UK will continue to receive space, surveillance and tracking data from the USA.</p>	Medium	
R - Studying in the UK or EU							
1	Erasmus+ (23/8)	The UK is a net contributor to the programme and is	No	Yes - Universities	The govt. has committed to the project until the end of the current contract in 2020, and is seeking an agreement to extend.	Low	

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		the third most popular destination.			If an agreement cannot be reached then the govt. will seek to make bilateral agreements with member states and key institutions.		
S - Travelling between the UK and EU							
1	Mobile roaming (13/9)	Travel in the EU is guaranteed with surcharge-free roaming. EU Roaming regulation requires operators to apply a default limit for mobile data usage of €50. Operators are also required to send an alert once a device reaches 80% and then 100% of the agreed data roaming limit.	No	Yes	<p>EU operators would be able to charge UK operators would no longer be regulated.</p> <p>The GOV would legislate to ensure EU Roaming regulation is retained in UK law.</p> <p>The availability and pricing of mobile roaming in the EU would be a commercial question for the mobile operators, and 3, EE, O2 and Vodafone- which cover 85% of mobile subscribers have said they have no current plans to change approach. Yet the GOV does recommend consumers check with mobile operators before going abroad.</p>	Low	
2	Common Travel Area (13/9)	British and Irish citizens are able to travel freely within the Common Travel Area (CTA), and enjoy associated rights such as employment, healthcare, education, social benefits, as well as the right to vote in certain elections.	No	Yes	<p>Irish citizens will still be able to enter the UK freely. There would be no practical changes to the UK's approach to immigration on journeys within the CTA: as now there would be no routine immigration controls on journeys from within the CTA to the UK.</p> <p>Non-Irish or British citizen will be required to continue to meet relevant domestic entry clearance requirements as set out in the Immigration (Control of Entry through the Republic of Ireland) Order 1972 (as amended).</p>	Medium	
3	UK Passport (13/9)	British citizens currently enjoy no checks once in the Schengen area, but will be treated as third country citizens after exit.	No	No	Third Country passports must be have been issued within the last 10 years on the date of arrival in a Schengen country, and have at least 3 months' validity remaining on the date of	Low	

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					intended departure from the last country visited in the Schengen area. Passports will stop including the European Union after March 2019 and the Blue passports will be issued late 2019.		
T - Workplace rights							
1	Workplace rights (23/8)	EU law covers a variety of workplace rights and protections.	Yes	Yes	The Withdrawal Bill will bring across the powers from the EU directives, but UK workplace already exceeds EU required levels of employment protections and the GOV will make amendments to the language of workplace legislation to ensure the existing regulations reflect the UK is no longer an EU country. With regards to European Works Councils, in a 'no deal' scenario, the government will ensure the enforcement framework, rights and protections for employees in the UK European Works Councils continue to be available.	Medium	
Not yet addressed: immigration and non-UK EU citizen rights							
Key issues for local government (LGA briefing)							
1		Laws regulating local govt services – waste management, trading standards, environment, procurement	Yes	Yes	Withdrawal Act prevents legal cliff edge SIs need to be in place by March to pass regulatory powers to UK agencies See technical notes F, G1, K, Q	High	
2		New constitutional settlement. Argument for a reform to devolve powers to local govt and protect LG status in EU law [nations have their own provisions in the Withdrawal Act]	Yes	No		Low	
3		EU funding	Yes	Yes	See technical notices A	High	

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4		Workforce – clarity needed on settled status of non-UK EU nationals – key parts of workforce such as social care.	Yes	Yes – key sectors needs to be identified (construction, hotels and catering, social care, health etc.)	<p>Need clarification of future policy, including immigration policy (white paper awaited). Not so far covered in TNs</p> <p>Analysis for the Brexit Commission: Non-UK EU nationality social care workers in the WMs:</p> <p>Residential and nursing homes 3,500 4.9% Domiciliary care 2,100 3.7% Day centres 50 1.9% Community care 250 2.1% Local authority workers 150 1.3% Independent sector 5,700 4.4% Managerial roles 150 1.6% Social workers 25 1.4% Registered nurses 475 10.0% Other 10 1.4% Direct care providers 4,600 4.4%</p>	High	
5		Delivery of LG services and benefits	Yes	No	<p>Clarity needed on provision of services and benefits to non-UK EU citizens. Not so far covered in TNs</p>	High	
6		Ports, public health and local regulation – inspections at airport and access to intelligence by local trading standards and EH services. Quantity of additional checks and certification unknown – resource implications.	Yes	Yes	Some coverage in TNs E and F above.	High	
7		Goods and services – new tariffs on goods and services purchased by councils would increase costs.	Yes	Yes	TN E4 gives advice to organisations about renegotiating contracts and other steps to take. Councils need to implement urgent steps in the event of no deal.	High	

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					Will also apply to costs of private firms.		
8		Local elections 2019 – voting and standing rights need to be clarified	Yes	No	Not yet covered.	Medium	
9		Local impact – Place Based technical notes.	Yes	Yes	Not yet produced.	Low	