

Border operating Model - third iteration Q&A

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Border Operating Model

What is in the new Border Operating Model?

- The government is today publishing an updated, more detailed Border Operating Model which outlines how the GB/EU border will work and the actions that traders, hauliers and passengers need to take.
- After extensive engagement with industry and the Devolved Administrations who have agreed to the model - this revised version has been updated to include:
 - The updated timetable for introducing import border controls processes understanding that the disruption caused by COVID has lasted longer and has been deeper than we anticipated;
 - Confirmation that the final stage of controls for live animals, aquatic animals and equines will continue to be checked at the point of destination until appropriate Border Control Posts are operational;
 - Confirmation that intrastat declarations for goods imported into GB from the EU will not be required from 1 January 2022
 - Removal of the Kent Access Permit information as they no longer exist;
 - Added detail to the infrastructure section;
 - Increased guidance on the phasing out of EU ID cards.

Why has it taken so long to publish after the March announcement?

- We have made sure to listen to industry throughout and ensure that each iteration of the Border Operating Model responds to their needs with the appropriate amount of detail for businesses to prepare.

Where will live animal checks take place in January 2021?

- As we said earlier in the year from March 2022 live animal checks will continue to be carried out at destination live animal checks will move from destination to designated BCPs when sufficient capacity allows.

How does a 300+ page document help me?

- The Border Operating Model exists to enable traders to understand the requirements both currently in force and that will be coming in for GB-EU trade. Additionally there are case studies and how to guides to help traders have step by step explainers for both processes and journeys.

What does the Border Operating Model cover?

- The BOM covers all three stages of implementation of the GB-EU Border Operating Model, covering the range of goods from standard goods to those with additional requirements such as Products of Animal Origin (POAO) and plant products. Moreover there are annexes to detail the requirements from EU Member States and other forms of transportation such as aviation.

What's currently required from traders?

- The first stage of the operating model is in effect alongside standard EU member state requirements. This means full controls for GB exports, with staged GB import controls, including delayed declaration requirements, no safety and security declarations and no requirements to enter via a specified border control post. Traders should be preparing for the introduction of future controls both for October 2021, January 2022, March 2022 and beyond.
- The staged approach has allowed HMG to focus on supporting exporters to comply with export and full MS requirements. Moreover this approach gives HMG insight to the issues traders face and allows HMG to give targeted support

Does the Border Model Operating Model cover Northern Ireland?

- The [Northern Ireland Protocol Command Paper](#) provides information on the UK Government's work to implement the Protocol and support businesses as it comes into force. This paper was laid in Parliament on 10 December following an agreement in principle between the Co-Chairs of the Withdrawal Agreement Joint Committee. This outlines how we have delivered unfettered access for Northern Ireland businesses to the rest of the UK market, protected Northern Ireland's place in the UK

customs territory and ensued a smooth flow of trade with no need for new physical customs infrastructure. There is [detailed guidance](#) on GOV.UK on what the protocol means for moving goods into and out of Northern Ireland and the government support available.

- Subsequently we published [detailed guidance](#) that underlines our commitment to unfettered access, and to minimising burdens on business. We will continue to update GOV.UK on what the Protocol means for moving goods into and out of Northern Ireland.

Phased import controls

How are import controls being staged?

- The three stages are:

Current Arrangement from January 2021:

- Following the end of the UK's transition in January 2021 full customs declarations are needed for all imports from the EU to Great Britain.
- While tariffs need to be paid on all imports, payments can be deferred until the customs declaration has been made.
- For controlled goods, or if HMRC have written to you to tell you that you aren't eligible to delay declarations, these must be provided at the point of import, and this is the same as are required for rest of the world trade.
- A list of controlled goods is available on GOV.UK [here](#) but this includes a number of goods which require a license to import, excise goods such as alcohol, tobacco and toxic chemicals
- For standard (or non-controlled) goods imported from the EU into GB, which make up most imports into the UK, we have introduced a temporary approach up to 31 December 2021. Importers, or their agents, must keep an Entry in Declarant's Records, in their commercial records, when goods were imported, and they have up to 175 calendar days from the date of import to prepare for and submit a supplementary customs declaration to HMRC.
- 'Businesses choosing to delay declarations are responsible for setting up their Duty Deferment Account to use this arrangement, and if they are VAT Registered must also use Postponed VAT Accounting.'

- There will also be physical checks at the point of destination on all high risk live animals and 10% of low-risk live animals.

From October 2021:

- Pre-notification requirements for Products of Animal Origin (POAO), certain animal by-products (ABP), and High Risk Food Not Of Animal Origin (HRFNAO). Health Certificate requirements for POAO and certain ABP will come into force on the same date.
- Also, from this date, if you haven't made a full customs declaration for an exports consignment, your haulier or carrier will need to submit a standalone Exit Summary (EXS) declaration in order to provide safety and security information <https://www.gov.uk/guidance/find-out-when-to-make-an-exit-summary-declaration>

From January 2022:

- Businesses moving non-controlled goods will have to make declarations at the point of importation and pay relevant tariffs at the point of import
- Full Safety and Security declarations will be required on imports and delayed declarations will no longer be possible unless the trader has been authorised specifically by HMRC.
- Checks on POAO, certain ABP, HRFNAO and high risk plants and plant products will take place at BCPs.
- You will still be able to use postponed VAT accounting (PVA) to account for import VAT on your VAT return. Don't miss out on the cashflow advantage PVA gives to VAT registered importers. It is available permanently, and we expect most businesses will choose to use it, because it provides significant cashflow benefits compared to the alternative of paying the import VAT when the goods are imported. You can find out more about using PVA www.gov.uk/guidance/check-when-you-can-account-for-import-vat-on-your-vat-return
- From March 2022 Live animal and low risk plants and plant product checks will move from destination to designated BCPs when sufficient capacity allows.

Why did the Government further delay import controls?

- The Government recognised the scale and significance of the challenges businesses have been facing in adjusting to the new requirements, at the same time as dealing with the impacts of COVID. We listened to businesses who made a strong case that they need more time to prepare. In reviewing the timeframes, we gave strong weight to the disruption which has been caused, and is still being caused, by COVID, and the need to ensure that the economy can recover fully.

Doesn't this show that coming out of the customs union and single market was a mistake and too burdensome?

- No - but it is of course the case that it takes time to get used to new customs rules and processes and we believe it is better for businesses to focus on the route out of lockdown first and therefore provide them with more time to prepare for the new controls. .

Why not push all the controls back to January 2022 - why have you got some in October?

- We are giving businesses an extra 6 months to prepare. Some import controls were due to come in from April - so the extra 6 months means they will now be introduced in October. We want to introduce pre-notification requirements as soon as we believe businesses will be ready and believe it is important these controls are introduced in advance of physical checks taking place at Border Control Posts. We do not believe that there will be an adverse effect on food safety by delaying for a further six months.

Is this more dither and delay, are you going to delay again at the next date you set?

- These dates give businesses more time to prepare - but we will bring in import controls as planned.

Dover White Cliffs

Toplines

- We have reviewed plans for the border facilities in Kent needed to undertake sanitary and phytosanitary inspections on EU goods.
- We have a duty to ensure we get value for money for taxpayers and our modelling demonstrates that we can meet the requirements through the facilities at Sevington and a new smaller site in Dover.
- Defra is working closely with Dover Port Health Authority to finalise plans for the Dover site.

What inspections will take place at the Dover Whitecliffs site?

- The Border Control Post (BCP) at Sevington will carry out the majority of SPS inspections for imports arriving through the short straits for all plants, plant products, live animals and products of animal origin from Eurotunnel.
- Products of animal origin from the Port of Dover will go to a separate BCP in the Dover area and all livestock imports will be managed at a separate small site.

What checks will be in place at Sevington?

- The Border Control Post (BCP) at Sevington will carry out the majority of SPS inspections for imports arriving through the short straits for all plants, plant products, live animals and products of animal origin from Eurotunnel.

Where will products of animal origin be checked?

- Products of animal origin from the Port of Dover will go to a separate BCP in the Dover area and all livestock imports will be managed at a separate small site.
- These come into effect on 1 January 2022 when the UK brings in these controls on EU imports:
<https://www.gov.uk/government/news/government-confirms-plans-to-introduce-import-controls>

Why not just use the Sevington BCP or the original site at Dover White Cliffs for these Port Health checks? What is the case for this investment? Have you caved-in to pressure from local MPs?

- The Government undertook a thorough review of the plans for Border Control Post (BCP) facilities for EU goods arriving through Kent, and a range of delivery options were explored.
- It was agreed that the BCP at Sevington IBF would carry out the majority of SPS inspections for imports arriving through the short straits for all plants, plant products, live animals and products of animal origin (POAO) from Eurotunnel. Products of animal origin from the Port of Dover will go to a separate BCP in the Dover area and all livestock imports will be managed at a separate small site.
- POAO checks are undertaken by the local Port Health Authority (PHA).
- The Dover White Cliffs inland border facility site will be used for HMRC customs checks only.
- The review was undertaken in line with good practice to ensure that government programmes are meeting requirements and delivering the most value for money.

Where will the Dover POAO site be located?

- We are working to procure a suitable site in the Dover area which meets the requirements for this local POAO facility.

How much will it cost?

- We are still in commercial discussions to procure a suitable location so nothing is yet confirmed.

Local politicians are hailing this as a 'record investment in both Dover and Ashford', so how can it be better for taxpayers and deliver more value for money?

- Following a thorough review, Government decided to deliver its Kent border controls from a number of additional sites. While this approach was taken to ensure that the programme best meets requirements and delivers the most value for money, it additionally benefits the local economy by spreading the investment across a broader range of communities.

When will this new Dover site be up and running?

- The intention is to have the facilities operational on time for the introduction of physical POAO inspections, which are due to come into effect on 1 January 2022.
- We are working at pace with our partners to deliver this.

What if it's not ready on time?

- Government is considering different delivery options in order to introduce the January 2022 border controls on time.

How many jobs will it create?

- This is a matter for the local Port Health Authority. We are working with the local PHAs to create and put in place the processes, procedures and staffing required to deliver documentary and physical checks on POAO