



28 December 2020

Protocol for “Units that started movement before the end of the Transition Period”

On December 31, 2020, the transitional period of Brexit will end and from 1/1/2021 customs and transit controls will be placed on the movement of goods between the UK and the EU. The provisional Trade and Cooperation Agreement agreed on 24th December 2020 between the EU and the UK confirms this principle.

There is an important transitional exemption in that Union goods which are already moving as intra-Union movement from the UK to the Union or vice versa before the end of the transition period are still treated as an intra-Union movement, subject to the fulfilment of the requirements set out in Article 47 of the Withdrawal Agreement. The EU and UK, and Belgium and the Netherlands have now all provided practical guidance on how to deal with these ‘cutover’ goods.

The following is to be proven by the person concerned when those goods arrive at the respective border between the Union and the UK:

- (i) that those **movements have started before the end of the transition period** and ended thereafter; and
- (ii) that the goods have the **customs status of Union goods**.

- The means of proof of the customs status of Union goods to be used for that purpose are set out in Article 199 UCC IA.
- The proof of the start of the movement prior to the end of the transition period is to be provided by a **transport document** or any other document showing the date when the movement has started.

Please take note that goods being moved under the conditions of Article 47 are **waived from Import / Export formalities only**. The vessel that travels between the UK and the EU after 01/01/2021 is required to comply in full with all requirements, such being amongst others the requirement to submit Safety & Security declarations when traveling to the EU and performing the necessary transactions to Customs systems.

We hereby inform you of **the protocol in which you can indicate to CLdN that you would like to move your goods under these exemption provisions**.

Please note it remains **your responsibility to ensure that your goods moved are eligible for this process**. CLdN will assume no responsibility whatsoever and you will need to ensure that your units can be correctly released from the appropriate Port within the time limits defined by CLdN. This means that when the authorities request further evidence, or reject the information provided, you will bear all associated costs resulting from this.

For additional information, please refer to:

- **UK:** <https://www.gov.uk/guidance/ongoing-customs-movements-and-procedures-at-the-end-of-the-transition-period>
- **EU:** https://ec.europa.eu/info/sites/info/files/notice_to_stakeholders_brexit_customs_procedures_rev4_en.pdf
- **BE:** <https://financien.belgium.be/nl/Actueel/overgangmaatregel-douaneformaliteiten-brexit> & <https://finance.belgium.be/en/news/overgangmaatregel-douaneformaliteiten-brexit>
- **NL:** <https://support.portbase.com/services/melding-import-documentatie/#mijn-zending-is-v-r-1-januari-op-transport-gegaan-maar-komt-n-1-januari-aan-op-de-terminal-van-aankomst-vk-nl-hoe-moet-ik-de-voormelding-doen> & <https://www.getreadyforbrexit.eu/wp-content/uploads/2020/11/20201028-Douanestatus-van-Unie-of-niet-Uniegoederen.pdf>

Protocol for making a C.WEB booking for 'cutover' goods on sailings from 1/1/2021

UK -> NL

At Booking – prior to arrival at UK port of loading:

- **UK Border process:** PreLodgement
- **Document Type:** EX
- **Document Number:** “Art 47 Withdrawal”
- Upload dated transport document to C.WEB providing evidence that the movement started before 31/12/2020 11h00 GMT, unless your unit is already on the Terminal before this time
- Upload evidence of Union status to C.WEB

As soon as possible and in any event prior to vessel arrival in Rotterdam

- Request clearance to release (“fiat wegvoering”) with Dutch Customs Authorities: douane.drh.cro@belastingdienst.nl
- Upload clearance authorisation to C.WEB

After shipment to NL

- Perform a “**MID melding**” (Notification Import Documentation) in **Portbase** quoting the reference number of the authorisation to release under the Article 47 procedure
- Documenttype: **FWV**
- Document number: ICT-“CRN number” (ie. ICT-NLRTM123456)

NL -> UK

At Booking – prior to arrival at EU port of loading:

- **UK Border process:** Temporary Storage
- **Document Type:** EX
- **Type of Goods:** Standard Goods
- Create consignment but leave docnumber blanc, fill in other mandatory fields
- Perform “**MED melding**” in **Portbase** (Notification Export documentation) prior to arrival at the terminal
 - **Documenttype:** ICT
 - **Document number:** the number of the CMR or Invoice number
- Upload dated transport document providing evidence that the movement started before 31/12/2020 11h00 GMT to C.WEB unless your unit is already on the Terminal before this time

After shipment to UK

- Unit will be released from destin8 based on a “C” status manifest
- If held by Border Force, you will need to ensure you can provide Proof of Union status evidence within 24 hours

UK -> BE

At Booking – prior to arrival at UK port of loading:

- **UK Border process:** 2 – Transit procedure, Export DUCR has already been Arrived and P2P granted before coming to Port
- **Doctype:** T2
- **Document number:** “Article 47 Withdrawal”
- **Office of Destination:** “BE343000”
- **Expiry Date:** day of sailing + 1
- Upload dated transport document to C.WEB providing evidence that the movement started before 31/12/2020 11h00 GMT, unless your unit is already on the Terminal before this time
- Upload evidence of Union status to C.WEB

BE -> UK

At Booking – prior to arrival at EU port of loading:

- **UK Border process:** Temporary Storage
- **Type of Goods:** Standard Goods
- **Doctype:** T2
- **Document number:** “Article 47 Withdrawal”
- **Office of Destination:** BE343000
- **Expiry date:** day of sailing + 1
- Upload dated transport document to C.WEB providing evidence that the movement started before 31/12/2020 11h00 GMT, unless your unit is already on the Terminal before this time

After shipment to UK

- Unit will be released from destin8 based on a “C” status manifest
- If held by Border Force, you will need to ensure you can provide Proof of Union status evidence within 24 hours