

SAFETY & SECURITY

Trading with the EU

January 2021



Importing and Exporting Goods

On 1st January 2021, the transition period with the European Union (EU) will end. Jersey will operate a full external border as determined by our obligations under the United Kingdom (UK) & Crown Dependencies (CD's) Customs Arrangement. This means that controls will be placed on the movement of goods between Jersey and the EU.

The UK and CD's recognise the impact of Coronavirus on businesses' and the ability to prepare following the announcement in February 2020. The Government of Jersey has taken the decision to introduce the new border controls in **3 stages up until 1 July 2021**.

This approach gives extra time to make the necessary arrangements and **part** of those arrangements is the [Safety and Security requirements](#), which will be implemented [from July 2021](#).

Safety and Security ENS

[Entry summary declaration]



As it stands today:

The EU operates the Import Control System (“ICS”) as part of the **safety and security** amendment to the Union Customs Code (“UCC”).

ICS introduced the requirement for electronic **pre-arrival information** (submitted via an electronic Entry Summary Declaration (“ENS”)) to be provided to the Customs authorities on all goods entering or passing through the Customs Territory of the EU.

By using the agreed **EU wide common risk rules**, the pre-arrival information undergoes risk analysis and any appropriate **Safety and Security** data is passed to other Member States where they are identified as being included on the itinerary of the means of transport.

Carriers (**or their authorised representatives**) lodge electronic **ENS declarations** at the first (air)port of entry into the Customs Territory of the EU. A Movement Reference Number (“MRN”) is issued when the ENS is lodged via the ICS.

Safety and Security declarations prior to **IMPORT**



From 1st July 2021 carriers of goods operating services into the Bailiwick *directly* from places other than the UK, Guernsey or the Isle of Man will be required to lodge electronic **Safety & Security** declarations, in advance of their arrival.

It will be mandatory for all carriers, and in some cases the hauliers themselves, to provide customs authorities with advance information for goods being brought into the Bailiwick from places other than the UK, Guernsey or Isle of Man. These declarations must be pre-notified ahead of the arrival of any goods. The time that this must happen depends on the nature of the cargo:

When shipping goods via:	ENS must be submitted:
maritime containerised cargo	at least 24 hours before loading at the port of departure
maritime bulk/break bulk cargo	at least four hours before arrival
maritime sea voyages of less than 24 hours	at least two hours before arrival
short-haul flights - less than four hours' duration	at the time of actual take-off
long-haul flights	at least four hours before arrival

Safety and Security declarations prior to **EXPORT**

From January 2021



In order for Customs export measures and controls to be applied export declarations will need to be submitted **before the goods leave the Bailiwick in all cases.**

Where goods are exported directly from the Bailiwick to a place other than the UK, Guernsey or Isle of Man the Customs and Excise **(Safety and Security)** (Export) (Bailiwick of Jersey) Directions, 2019 will require that all export data is submitted by the carriers within certain time limits.

These new timeframes will require the submission of export manifests where goods are being exported directly to a place other than the UK, Guernsey and Isle of Man.

- Where exported by sea freight and the voyage is less than 24 hours, all cargo export data must be submitted at least 2 hours before departure.
- Where exported by air, export data must be submitted at least 30 minutes prior to the aircraft's departure.

Goods that have not obtained export clearance by these times will not be able to be shipped.

Export declarations submitted by exporters or agents will therefore need to be submitted in good time to enable carriers to finalise their export manifests.

Safety and Security declarations prior to **EXPORT** continued.....



Where exported goods are identified as subject to customs control, this will operate similarly to the existing detain/release process for imports.

Safety & Security at EU Ports

It should be noted that the EU will continue to have their own **Safety & Security requirements**, separate to that of the Jersey and the UK. Therefore carriers will also be required to submit (the opposite) Safety & Security declarations to the EU for the same movements between the Bailiwick of Jersey and the EU.

Example

EU port/airport - when arriving into the Bailiwick of Jersey from an EU port an **import Safety and Security declaration** would need to be submitted to the **UK ICS** and an **export Safety & Security declaration** submitted to the EU port of departure. The reverse would be required for movements the other way.

Carriers will therefore be required to lodge electronic Safety & Security declarations at the EU ports of departure and arrival in addition to the new local requirements. Jersey Customs are unable to give advice on the requirements at EU ports therefore carriers are advised to research these requirements prior to the end of the transition period.



Businesses required to submit **Safety & Security** declarations should consider the following;

1. Familiarising yourself with the **Safety & Security** requirements, including ICS.
2. If your business is the '**active means of transport**' you will need to lodge the declaration yourself.
3. Apply for an EORI. The application is free and UK EORI authorisations will be transitioned automatically.
4. Establishing how you would submit Safety & Security declarations to EU ports/airports of departure and arrival.



What is the EORI Number

- An EORI (**Economic Operator Registration and Identification**) number is currently required by businesses and people undertaking certain customs functions across the EU.
- An EORI number issued in one EU country is currently valid across the EU.
- After the transition period the UK will operate a UK EORI scheme separate to the EU's.
- A UK EORI will be a 12 digit long number prefaced with the letters "GB" and will only be valid for declarations made in the UK.
- An EU EORI may be required where functions are undertaken by businesses and people within an EU country.
- In terms of **Jersey businesses** there is **currently no requirement to have an EORI number when undertaking customs functions in Jersey only**. However, JCIS understands that an EORI will be required by the following persons in the stated circumstances after the transition period:
- Some examples enclosed on the following pages.....

Importing goods from EU into Jersey Directly



- The EU established exporter will require an EU EORI for the export declaration in the EU, but the Jersey established importer will not require an EORI to make an import declaration into Jersey.
- The Jersey established importer will require a GB EORI if they will be responsible for submitting the **Entry Summary Declaration** (Safety and Security) through the UK's Import Control System (ICS).



Exporting goods from Jersey into EU

Directly

- The EU established importer will require an EU EORI for the import declaration in the EU, but the Jersey established exporter will not require an EORI to make an export declaration in Jersey.

Exporting goods from Jersey into UK Directly



- No requirement for an EORI to submit information to Jersey Customs, however, should businesses need to submit any information to HM Revenue and Customs via their systems then one would be required.



Importing goods from EU into Jersey via the UK

- The EU established exporter will require an EU EORI for the export declaration in the EU. When the goods arrive in the UK, the UK established freight agent will usually take on the role of the importer and will be responsible for handling all customs processes (**including transit if necessary**). Businesses should check with their freight agents to ensure that they are able to undertake these functions

Exporting goods from Jersey into EU via the UK



- When the goods arrive in the UK, the UK established freight agent will usually take on the role of the exporter and will be responsible for handling all customs processes (including transit if necessary). Businesses should check with their freight agents to ensure that they are able to undertake these functions.
- The EU established importer will require an EU EORI for the import declaration in the EU.



TRANSIT

- Jersey established businesses wishing to use **Common Transit or National Transit procedures** - Will need a GB EORI number, as is the case now.
- If businesses are in any doubt whether they will require an EORI number, then they are advised to obtain one regardless.
- An EORI number is free to obtain and should only take a few days to come through once the application has been received.
- Advice on obtaining an EORI can be found here <https://www.gov.uk/eori>. A UK Government Gateway ID (login) will be required to apply for the EORI online but this can be created at the same time as the EORI application.



Further EORI requirements

- Any business currently using the Union Transit procedure should already have a GB EORI number and will not need to reapply. However, whereas this number was recognised under the EU EORI scheme this will no longer be the case. Therefore there may also be a requirement for traders to obtain a further EORI number in the EU country they wish to trade with. This will only be required if the trader is responsible for submitting declarations or other entries to the Customs Authorities **in that country**.
- Traders are strongly advised to check with the Customs Authorities in the countries with whom they intend to import or export to and or from as to what their requirements will be after the transition period if they are likely to be undertaking any customs formalities in that country;
- See section – “Further information” for links to information issued by French Authorities as well as how to apply for a French EORI number.

Links to information issued by French Authorities as well as how to apply for a French EORI number and Guidance for the UK ICS



DOUANE.GOUV.FR Website

French Customs have released a number of informative documents which, given the close proximity of the Bailiwick to France, may prove useful to local businesses and individuals:

<https://www.douane.gouv.fr/dossier/franchissons-le-brexit-ensemble>

Where necessary, French EORI numbers can be applied for here:

<http://www.douane.gouv.fr/Portals/0/fichiers/douane/brexit/iori/formulaire-demande-iori-brexit.pdf>

ICS Guidance is here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/383347/Guidance_for_the_UK_ICs.pdf

Jersey Customs & Immigration Service [JCIS]

JCIS may be able to answer specific customs related questions in relation to the impact that the UK's exit from the EU may have on Bailiwick based businesses contact details:

Email – rgc@gov.je

Telephone – 01534 448000 or 448028 [Trader number]

Further information to the Border Operating Model can be found on gov.je