

Customs and Northern Ireland interviews with IOE&IT

The BVRLA has spoken to the Institute of Export & International Trade (IOE&IT) in a [series of interviews](#) for members, that cover the changes from a customs and border perspective from 1 January 2021.

The interviews cover four key areas:

- Rented / Leased vehicles driven by customers into Northern Ireland and the EU
- Firms moving vehicles they own into Northern Ireland and the EU
- Delivering and selling cars, looking at the Northern Ireland UK Trader System and who must fill in the paperwork around customs declarations
- General advice looking at VAT and customs procedures and the need for firms to learn more about systems, increase readiness and negotiate with suppliers.

Cars entering Northern Ireland from Great Britain

Information on vehicle movements into Northern Ireland (NI) and the customs requirements around this, whether this is customers driving rental or leased cars or firms wanting to move their vehicles, can be found on the Government's [Trader Support Service](#) page.

If a vehicle is entering Northern Ireland and the vehicle itself will not be used for a commercial purpose, then there is no need for customs declarations around the vehicle. For example, if a leasing customer drives their car into NI for a business meeting or customer rents a car from Great Britain (GB) and drives it into NI.

If a vehicle is moved to NI for commercial purposes, then a customs declaration is needed immediately along with the associated VAT accounting, there is no grace period. For example, a rental company moves vehicles from a GB depot to a NI depot to rent them from NI or a customer vehicle breaks down and in NI and it will be rented out from NI after repair.

If customers are using a rented or leased vehicle for other commercial purposes, for example selling furniture from GB into NI, then there are numerous customs procedures the vehicle user will need to follow.

Product liability considerations

Currently, when a product leaves a factory it is the manufacturer who is liable for the product and safety of the goods.

This changes under the EU Withdrawal Act (irrespective of a free trade agreement) and the party now liable for product liability and safety of goods is the “person established in the United Kingdom that places a product from a country outside the United Kingdom on the market”.

In product safety legislation “placing on the market” is the first supply of goods. There must be a written or verbal agreement (or offer of an agreement) to transfer ownership or possession or other rights regarding the product. This does not require physical transfer of the goods.

Transfer of goods also takes place when goods are loaned or hired.

To establish if there is likely to be an impact on business, check if the contract for vehicle supply with a UK or EU based supplier. If agreements are with a UK based firm, then in most likelihood liabilities will rest with that firm. If the contract is with an EU based supplier then all product liability and safety in respect of the goods in the UK will most likely shift as they are the first to place it on the UK market.

[More details and the full legal responsibilities.](#)

Members should seek external advice on this issue if they have any concerns.

End of transition VAT considerations

The BVRLA’s [EU Exit Business Advice](#) page been updated to cover VAT and rental/leasing cars in Ireland.

Rental or leasing cars which drive into Ireland after 31 December 2020 will owe VAT to the Irish state on the period of time that the vehicle is used in Ireland.

This will be the case for vehicles which enter Ireland from both Northern Ireland and Great Britain, as both are considered as outside of the EU.

More information on the [Irish Tax and Customs](#) website.

EU Exit Bulletin

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EU Exit advice contacts

Members have requested [contact details](#) from the BVRLA for external EU Exit contacts and firms to support their preparations for the end of the transition period.

The 1st January is fast approaching and these advisors are in high demand.

To assist members looking to reach out to private sector advisory firms, the BVRLA has created a non-exhaustive list of some external EU contacts. These are independent contacts and are not connected to the BVRLA.

This will hopefully help members with pressing issues around the end of the transition period to access the assistance they may need.

Please note that any arrangements that may be made with the contacts listed are at members sole discretion and risk. The BVRLA accepts no liability regarding the suitability of these contacts or otherwise.

Resources for business readiness

Government resources for traders on border readiness include:

- The [Brexit checker tool](#) is the best place for businesses to start and provides a list of personalised actions they need to take.
- It is possible to [sign up](#) and create an account to get alerts when changes are made to relevant guidance.
- Step by step guides for [importing](#) and [exporting](#).
- Video guides for [importing](#) and [exporting](#).
- Process flows for [importing](#) and [exporting](#).

For any further queries contact the [business support helpline](#), use the [EU Transition Trade and Industry Forum](#) or sign up for a range of [webinars](#).