

Queen's

## Brexit Guidance

January 2021



# The UK has now left the EU.

And we now have new rules to consider when importing from and exporting to the European Union. We know that many of our clients have been keen to understand what it means for them, and so we have pulled together a Q&A for our **Top 5 FAQs** in the run up to Brexit.

Hopefully, this will provide some clarity in light of this new situation but, as always, our team are on call to assist and advise on individual circumstances, whenever required.

# What documents do I need for import/export into the UK/from the UK?

The easiest way to approach this is to **think of this like importing/exporting to and from a country outside the EU already**. If you've previously imported/exported to Switzerland, for example, the process will be very similar. You will, therefore, require the below documents for every shipment being imported/exported to the EU. So far, no new documents will be required.

- 1. A pro forma / shipping invoice**
- 2. T1 transit document**



# How does customs clearance affect the European transport schedules?

Every single artwork that crosses the UK border (inbound or outbound) is now subject to customs clearance. This means that European transport will take a bit longer. At this stage, it's difficult to quantify exactly how long, so please allow a few extra days to avoid disappointment. Shipments will also be slightly more expensive, as customs formalities will have to be carried out in the country of departure and in the country of destination.

Rest assured, we are currently looking at alternative ports to Calais and will keep clients updated on alternative routes, as soon as these become available. To avoid further delays at the port, we also now have the facility to go through customs, via a third party, at a specialist warehouse.

# **What if a gallery sells a UK Free Circulation artwork to a European private client/collector? Is 20% sales VAT still applicable on sales invoice?**

This is still perfectly possible and 20% sales VAT on the sales invoice to European clients is no longer required. Instead, collectors will have to pay the import VAT for the country that they are importing the artwork to. This will, obviously, vary by country and our expert team will be happy to advise on a case-by-case basis.

# **What happens to artworks which were in Free Circulation before December 31st and were transported to a European country before then?**

This still falls under British Returned Goods CPC/Returned Good relief (RGR). If you have exported something under a specific name (i.e. your personal name or company name) at a value that hasn't changed and ownership remains the same then it can be reimported with no tax implications.

It is possible to re-import it as RGR (Returning Good relief) so long as;

- you have the CMR / transport documentation
- the importer in the UK from Jan 1st is the same 'exporter' from the UK before Dec 31st
- the artwork has not been modified/changed/amended and the value remains unchanged
- the artwork is returned to the UK within 3 years from the date of the original 'export' (transport/shipment)

# What about the export licences?

Now that the transition period has ended, we know many of our clients have questions on which licences will be required. We would like to share with you the below information, created by the Arts Council. This covers all aspects from EU/UK Licenses, Temporary Licences, Open Individual Export Licences and many more.

Click the link below for full details:

**[Export Licensing for Cultural Goods following the end of the Transition Period: FAQs](#)**

Our expert team are on hand to help with any of your questions regarding Brexit and your contact remains at your disposal.

Alternatively, please email **[info@queensfineart.com](mailto:info@queensfineart.com)** for new enquires.

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