

# The Bailiwick's Participation in the UK-EU Trade and Cooperation Agreement

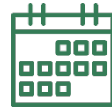


---

**Jo Reeve**  
Director of International  
Relations and  
Constitutional Affairs

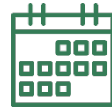


# Overview - Dates



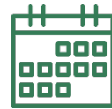
## **31 January 2020 at 11pm**

UK left the EU; Brexit transition period began



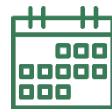
## **March 2020**

negotiations started between UK and EU on the future relationship



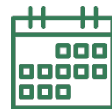
## **Later in March 2020**

Covid-19 pandemic lockdowns in UK and in Bailiwick (and elsewhere)



## **June 2020**

UK had until July 2020 to extend the transition period but UK Government chose not to request extension, so transition period to end 31 December



## **31 December 2020 at 11pm**

transition period ended and new relationship between UK and EU began

# Bailiwick of Guernsey – participation in the TCA



UK-EU agreement reached for future relationship from 1 January 2021 (announced 24 December) – Bailiwick of Guernsey for Trade in Goods and Fish (Policy Letter published 24 December)



The parliaments of Guernsey, Alderney and Sark met on 27 December and agreed to participate in the agreement.



There is a ‘sunset’ clause which via the Partnership Council (UK & EU) within 90 days of entry into force of the Agreement can be activated – Agreement would then cease in 30 days.





# Trade in Goods with the EU

- Market Access and National Treatment
- Rules of Origin
- Sanitary and Phytosanitary
- Technical Barriers to Trade
- Customs
  - VAT Protocol

Comparison with Protocol 3

A man in a blue shirt and green apron is working in a grocery store aisle. He is holding a green carton and looking at the shelves. The shelves are stocked with various products, including colorful boxes and bags. The background is slightly blurred, showing more of the store's interior.

# Trade in Goods with the EU

- Zero Tariff or quotas on the goods we trade with the EU. (c.£45m global exports annually)
- Border checks in place for goods movements including SPS checks. Also subject to 3<sup>rd</sup> Country Listing – but has been approved to protect £5bn of UK, CD export trade.
- Access to the EU for more complex products such as Medicines, Vehicle(s) & Parts, Chemicals, Wines, Organics on a relevant, practical and proportionate basis. Legislation if needed to comply with the TBT within the TCA.

# Fisheries

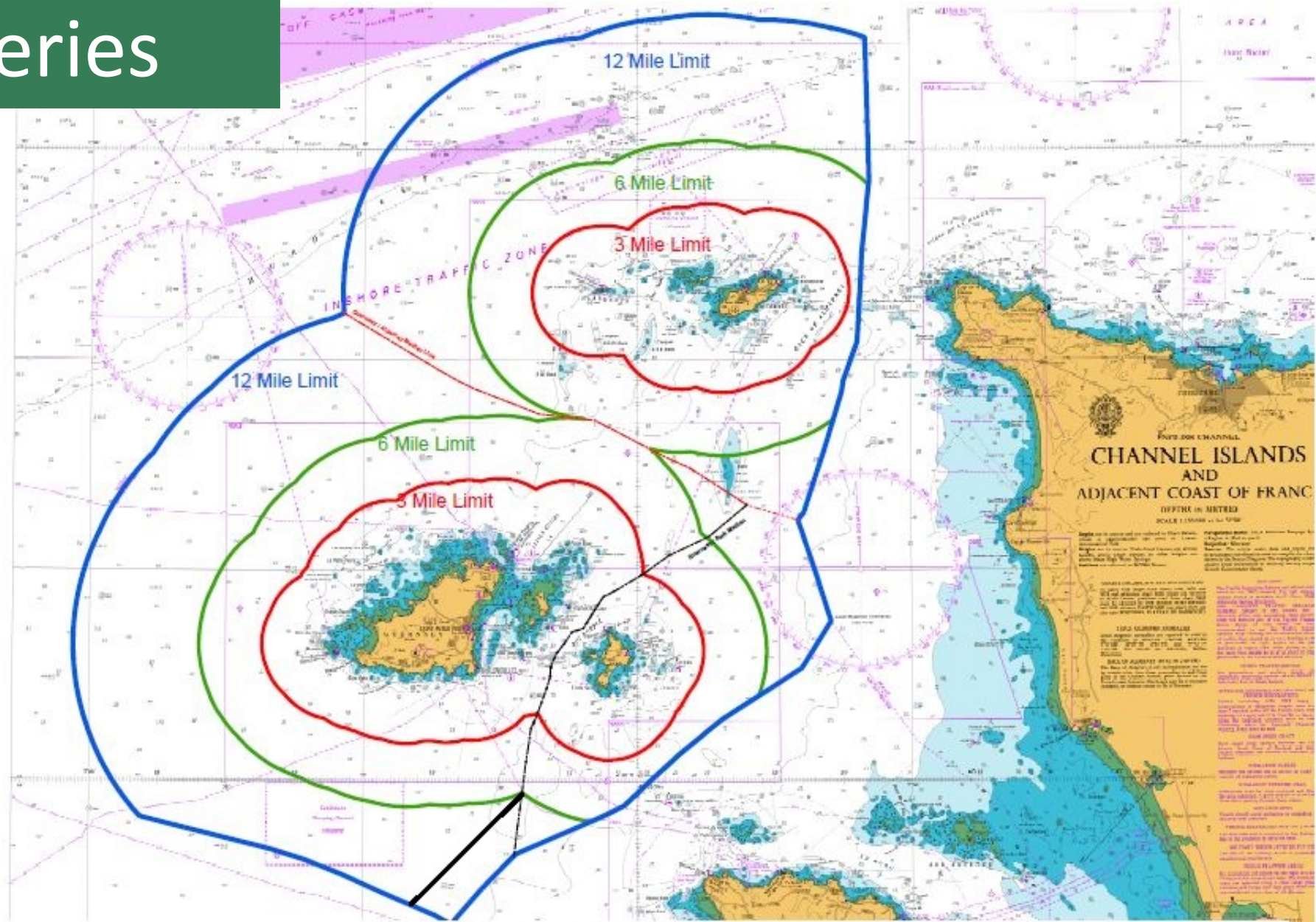


CHART NOT TO BE USED FOR NAVIGATION

Chart based on SC 2669 1:125,000 Scale chart of Bailiwick 3, 6 and 12 mile ranges along with Median Lines

# Bailiwick Fisheries Arrangements



- Historical Track Record 2017 to 2020 (with 10 day year effort threshold).
- The right to 'Cap' effort within the TCA.
- Guernsey able to apply fisheries measures in a non-discriminatory manner.
- Access to the Ports of Cherbourg, Carteret and Granville confirmed – Tariff Free
- Between 3 to 5 hours notification – would have been 3 days.
- Aligned with Goods with termination within a three year process.
- Provides for a stable social and economic relationship with France

# Horizontal Issues

- Level Playing Field
- Political Declarations
  - Recovery of Claims relating to VAT, Customs Duties and Excise Duties (VAT Protocol)
  - Countering Harmful Tax Regimes
- Governance
  - Dispute Resolution Mechanism
  - Exit
  - Amendment
  - Specialised Committees
  - Sunset Clause
- Lord Chancellor letter on constitutional position

# What is not included within the TCA?

- Services – the Bailiwick will continue to be a third country to the EU in respect of the trade in services, existing arrangements in this area will continue
- Financial Services – Regulatory MoU between UK and EU
- Data protection – the Bailiwick's existing 'adequacy' decision remains
- Mobility of people – free movement has ended

# Immigration: the end of free movement

## Common Travel Area

– a single border:

- Republic of Ireland
- Isle of Man
- Jersey
- Guernsey

## Passports and travel to the EU/EEA

[www.gov.uk/check-a-passport-for-travel-to-europe](https://www.gov.uk/check-a-passport-for-travel-to-europe)

- 6 months validity remaining on day of travel
- Must have been issued less than 9 years and 6 months ago



# Entry Clearance Requirements

EEA National

Entry for the  
purposes of a visit  
of up to 6 months

No Entry Clearance  
is required

Entry for the purpose of a  
visit of more than 6 months  
or for any other purpose (i.e.  
to work or reside)

An entry clearance is  
required prior to travel

Entry clearance visa applications via  
the UK online system:

**Short term:** [www.gov.uk/seasonal-worker-visa/apply](https://www.gov.uk/seasonal-worker-visa/apply)

**Longer term:** [www.visas-immigration.service.gov.uk/apply-visa-type/funnel](https://www.visas-immigration.service.gov.uk/apply-visa-type/funnel)

Information on the process is  
available on gov.gg: [Guidance for  
EU nationals and employers -  
States of Guernsey \(gov.gg\)](#)

# Next Steps

- European Parliament to consider the legal treaty text in first quarter, during which time the Agreement is being provisionally applied by the UK and EU.
- Following consideration by the European Parliament, and consent to the TCA being granted, the European Council will then adopt the decision on the conclusion of the Agreement.
- Policy & Resources Committee to review legal treaty text to check aligns with principles agreed by Bailiwick parliaments on 27 December 2020
- Sunset clause (90 day period)



| States of  
Guernsey