

BREXIT FACTSHEET

Internal note for EAZA Members

EAZA Executive Office, 6 March 2019



Staff mobility, access to EU conservation funds, animal tissue transfers, or imports of supplies are just some of the areas in which Brexit is likely to cause changes to EAZA Members – especially those based in the UK. Brexit will also affect transfers of live animals within the EEPs between the UK and the EU (and Switzerland), and this is the focus of this document. Please note that the document serves for information only and does not constitute legal advice.

1. Brexit: process and scenarios

The UK is scheduled to leave the EU on Friday, 29 March 2019, at 23:00 GMT. This will conclude the 2-year period given by the Lisbon Treaty for negotiating and approving the withdrawal agreement (the “deal”). The deal has been negotiated but has yet to be approved by the UK Parliament and ratified by the EU.

The UK Parliament is expected to vote in mid-March. In the meantime, three scenarios are still possible:

① BREXIT WITH A DEAL	② NO-DEAL BREXIT	③ EXTENSION
<p>The deal is approved, and the UK leaves on 29 March.</p> <ul style="list-style-type: none">• EU law continues to apply in the UK until 31 December 2020, i.e. until the end of the so-called transition (implementation) period.• Animal transfers remain possible under current rules until 31 December 2020.• UK-EU relationship after 2020 is negotiated during the transition period.	<p>The UK leaves on 29 March without an approved deal.</p> <ul style="list-style-type: none">• EU law immediately stops applying in the UK.• Contingency (emergency) plans are put in place on both sides.	<p>The deadline of 29 March is extended (by a few months), if UK and EU27 agree.</p> <ul style="list-style-type: none">• More time to prepare scenario 1 or 2 or a new one. This depends mainly on UK’s internal political situation.• EU Court of Justice has ruled that the UK may stop the process and decide to stay in the EU at any time up to the deadline.

2. Animals entering the EU or Switzerland from the UK

Imports of (most) vertebrates into the EU are allowed only from countries that meet the EU’s veterinary and sanitary standards and are listed by the EU as such. Moreover, if a country has the same standards as the EU, a “single veterinary area” can be created, with a nearly-free movement of animals. Today this exists between the EU and [Switzerland](#).¹

In scenario 1, the UK would have to be listed only from January 2021. There would be time until the end of 2020 for the listing – or for establishing a veterinary agreement like the one with Switzerland.

In scenario 2, it would be impossible to move vertebrates from the UK into the EU from 30 March until the UK is listed.

The European Commission has declared in its [contingency measures](#) for no deal that it would swiftly list the UK if it meets all conditions and if EU Member States agree. In addition to BIAZA’s lobbying in the UK, EAZA has been in contact with the EU and national authorities on this topic. We will keep pushing for an immediate listing if no-deal Brexit takes place.

Even after the UK is listed, animals entering the EU will have to be checked at designated Border Inspection Posts (BIPs). Not all BIPs will be open 24/7 and many might have capacity constraints, affecting journey times and animal welfare. The European Commission is now approving a list of BIPs that would need to be set up in scenario 2. Scenario 1 would leave much more time for additional BIPs to be established where needed.

¹ As a consequence of the single veterinary area, Switzerland is covered by the EU’s veterinary rules on animal transfers. Thus, animal transfers from UK to Switzerland will be possible only after the UK is listed by the EU as an approved third country.

3. Animals entering the UK from the EU or Switzerland

The UK Government has declared that it would not impose new restrictions even in a no-deal scenario. There will be, however, [new notification requirements](#).

4. CITES

In the EU, CITES species are listed in Annexes A to D of the [EU Wildlife Trade Regulations](#). Species from Annexes B, C and D can be freely moved within the EU – but will require new permits for transfers between UK and EU after Brexit. Please see the CITES-related links below.

5. Animal transporter certification

To transport (most) vertebrates by road in the EU, the transporter must hold specific certificates obtained from the authorities in their EU Member States as per [EU Regulation 1/2005](#).

In a no-deal scenario, certificates issued in the UK would immediately lose their validity in the EU. UK transporters who want to continue transporting animals to/from/within the EU, will have to set up representation in an EU27 Member State and obtain a new certificate there. The rules for obtaining certificates differ between countries and even between country provinces. We have so far received the following information from the Irish and Belgian (Flemish) authorities:

Question / Country	Ireland	Belgium (Flanders)
<i>What type of legal representation in the country is required?</i>	An entity that can be legally responsible to Irish authorities, i.e. an agent or subsidiary or another company.	A subsidiary, another company or a lawyer based in Flanders who acts as the legal representative.
<i>Does the transporter have to present the vehicles for physical inspection for the certificate of approval?</i>	Yes	Yes
<i>Does the transporter have to pass an exam to obtain the certificate of competence?</i>	Only for bovines, sheep, goats, pigs, horses and poultry. Exam in Irish or English.	Only for bovines, sheep, goats, pigs, horses and poultry. Exam in Dutch.

6. Useful links

[National Brexit information in EU Member States](#)

[Brexit and its potential impact on zoos and aquariums, BIAZA News, Issue 21](#)

UK Government's guidance:

- [Exporting animals, animal products, fish and fishery products to the EU after EU Exit](#)
- [Importing animals, animal products and high-risk food and feed not of animal origin after EU Exit](#)
- [Trading CITES-listed species through UK ports and airports after Brexit](#)
- [Trading and moving endangered species protected by CITES if there is no withdrawal deal](#)

European Commission's Brexit preparedness notices:

- [Trade in protected species](#)
- [Movements of live animals](#)
- [Animal transport](#)
- [Medicinal products for human and veterinary use](#)
- [All notices](#)

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