



# General overview of the **Brexit transition period**

The United Kingdom left the EU on 31 January 2020. This marked the start of a transition period, as laid down in the withdrawal agreement. Until this transition period ends on 31 December 2020, most things will stay the same. EU rules still apply to the UK during this period, while the EU and the UK negotiate the details of their future partnership.

Even if new agreements are made, the end of the transition period will bring many changes for everyone: governments, businesses, organisations and citizens. Working with all stakeholders, the Dutch government is doing its utmost to prepare as well as possible for the new situation as of 1 January 2021. This overview gives a summary of central government's preparations, or readiness plans, for various areas. The overview is a snapshot of the current situation. Measures can still change depending on the outcome of the negotiations. Decisions on possible contingency measures, aimed at softening the most severe consequences the event of a scenario without a future partnership, will be made at a later stage if necessary. The readiness plans have various components, which are described on this page.

## Organisation



- The Minister of Foreign Affairs is responsible for coordinating all preparations for the end of the transition period at the central government level. The aim is to develop timely and consistent measures for all policy areas.

## Communications and public information



- Good government communication and information can help citizens, businesses, organisations and subnational authorities prepare for the new situation. Where possible, central government coordinates its communication efforts with those of other partners (see also sheet 2).
- It is also important that customer contact centres run by the central government or other public services have sufficient capacity near the end of the transition period to deal with the anticipated increase in questions.

## Measures at EU level



- The European Commission is also preparing for the new situation and fulfils a coordinating role at EU level. Its plans are published on the dedicated [readiness page](#) on the website of the Commission's Task Force for Relations with the United Kingdom.
- The Commission is tasked with drafting technical amendments to Union law, providing information and preparing for the possibility of a scenario without a future partnership.
- The Commission publishes [communications](#) on the changes that will definitely take place after the transition period, its own measures in response to those changes and publishes its advice to governments, organisations, businesses, and citizens. It also publishes sector-specific [readiness notices](#) that contain detailed information on how stakeholders should prepare for the post-transition period.

## Legislation



- The Brexit (Miscellaneous Provisions) Act that came into force on 1 February 2020 lays down arrangements for certain inevitable changes. To provide the right legal basis for the new situation, a bill amending this and a number of other acts will be submitted to the Dutch parliament.

## Crisis management



- The national crisis structure can enter into effect if serious disruptions arise after the transition period ends.

## Policy preparation (including implementation of the withdrawal agreement)

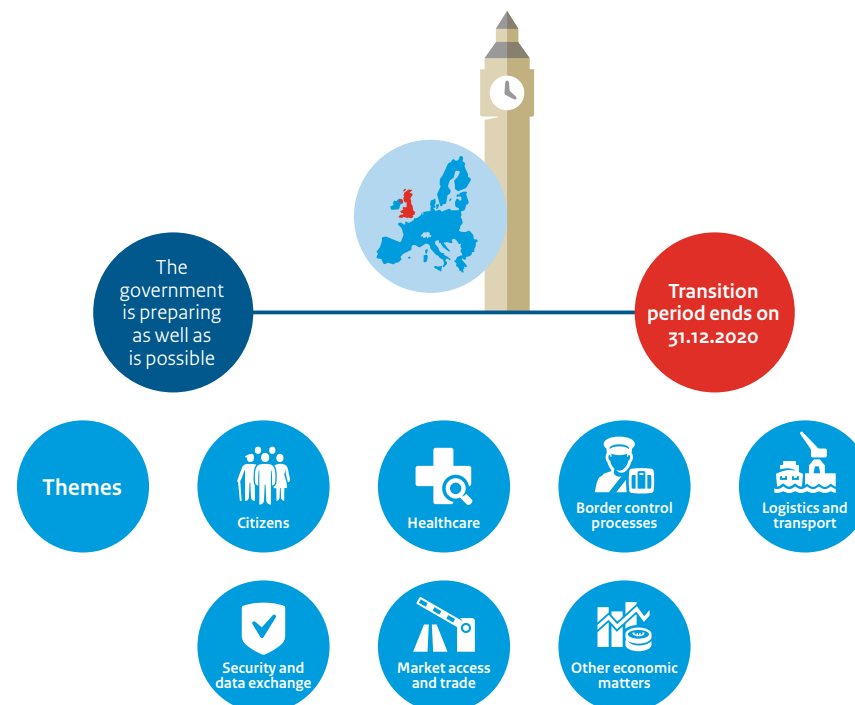


- In the following pages, the government's policy preparations are presented by theme. They include measures that have already been taken (implementing the withdrawal agreement or concerning policy issues that are not under negotiation), as well as points for consideration in the case of a future partnership or the absence of it, respectively.

## Cooperation with EU member states



- The Netherlands and the other EU member states share experiences, coordinate plans and cooperate on cross-border topics in order to prepare as well as possible for the new situation.





# Information on readiness during the Brexit transition period



## General public

**The end of the transition period will bring many changes for everyone: businesses, organisations, governments and citizens. Everyone has to prepare themselves for the new situation.**

You can read more about these changes on the various central government websites. The government uses multiple communication channels to raise awareness among the different target groups, including social media, newsletters and consultations. The ministries and their agencies and supervisory bodies also organise stakeholder meetings to share information about the sector-specific consequences of Brexit. The main communication channels used are listed per target group below.

### Main communication channel

[www.rijksoverheid.nl/brexit](http://www.rijksoverheid.nl/brexit)



### Other channels

Websites where people can get answers to their questions, general surveys (Netherlands Bureau for Economic Policy Analysis, Statistics Netherlands, central government-wide information), central government information campaign 'Don't let Brexit get in your way', 'Travel Smart' campaign targeting travellers (not yet deployed), social media, background briefings for the media and stakeholder meetings (including online).

## British nationals in the Netherlands

**British nationals already residing in the Netherlands when the transition period ends must apply for a residence document in order to retain their right to live, work or study in the Netherlands. They will be informed of this personally by the Immigration and Naturalisation Service (IND).**

The government is also working with the British embassy in the Netherlands to inform this group about the actions they must take. The website [www.government.nl](http://www.government.nl) provides information about what will change for British nationals arriving in the Netherlands after the transition period. For those needing specific information, the website also gives links to other government services.

### Main communication channel

[www.government.nl/brexit](http://www.government.nl/brexit)  
[www.rijksoverheid.nl/brexit](http://www.rijksoverheid.nl/brexit)  
[www.ind.nl/Brexit](http://www.ind.nl/Brexit)



### Other channels

Websites where people can get answers to their questions, IND Brexit hotline, events (including online) organised jointly with the British embassy in the Netherlands, letters written by government agencies to the individuals concerned, newsletters, social media posts, joint efforts with representatives and members of local communities, sector-specific information provided by the various government agencies.

## Dutch nationals in the UK

**Dutch nationals already residing in the UK when the transition period ends must apply to the EU Settlement Scheme in order to get settled or pre-settled status. They will be informed of this by the British authorities.**

The Dutch embassy and the EU delegation in London also both offer information about the new situation, for instance at information meetings. The website [www.government.nl](http://www.government.nl) provides information about what will change for Dutch nationals arriving in the UK after the transition period. For those needing specific information, the website also gives links to UK government services and the Dutch embassy to the UK.

### Main communication channel

[www.rijksoverheid.nl/brexit](http://www.rijksoverheid.nl/brexit)  
[www.government.nl/brexit](http://www.government.nl/brexit)  
<https://www.gov.uk/staying-uk-eu-citizen>



### Other channels

Websites where people can get answers to their questions, newsletters, events (including online) organised by the Dutch embassy and the EU delegation to the UK, questions answered by the Dutch embassy, social media posts, cooperation with the British authorities, representatives and members of local communities.

## Businesses and organisations

**Businesses and organisations seeking information about what will change when the transition period ends can visit the Brexit desk website ([www.brexitloket.nl](http://www.brexitloket.nl)).**

The Brexit desk has a contact centre where businesses can get answers to their questions. They can also use the Brexit Impact Scan to check if their own preparations are adequate. Multiple channels are used to raise awareness in the business community, such as direct mails, webinars (yet to be held) and a media campaign. The government works closely with private sector bodies, such as the Confederation of Netherlands Industry and Employers (VNO-NCW), Royal Association MKB-Nederland, Evofenedex and Portbase, to reach all parties and give them the best possible information about what is going to change.

### Main communication channel

[www.brexitloket.nl](http://www.brexitloket.nl)



### Other channels

Websites (public and private) for business questions and advice. Other tools: Brexit Impact Scan; Brexit vouchers; newsletters; (online) events and webinars; glossy magazine; direct mail campaigns by Tax and Customs Administration and NVWA; podcasts; Customs call center team; surveys; campaigns targeting specific sectors such as healthcare; transport sector & ports initiative 'Get ready for Brexit'; public-private initiatives 'Brexit buddies' and 'Help with Brexit'; 'serious game' for horti- and agricultural goods exporters.

## Other government bodies

**Europa decentraal is a knowledge centre on EU law for local and regional authorities seeking information about what will change when the transition period ends.**

Subnational authorities can also use the Brexit Impact Scan for governments to check if their own preparations are adequate. Multiple channels are used to raise awareness among all subnational authorities. This includes consultations and other forms of contact between the tiers of government, and helpdesks where local and regional authorities can get answers to their questions.

### Main communication channel

<https://europadecentraal.nl/brexit-loket/>



### Other channels

Subnational authorities can ask questions and get advice on several websites. Other tools are the Brexit Impact Scan for government bodies, newsletters, cooperation between agencies and central government, contact between different tiers of government via the Association of Netherlands Municipalities (VNG), Association of Provincial Authorities (IPO) and Dutch Water Authorities, sector-specific information provided by various government agencies.



# Citizens

The end of the transition period will impact both British nationals in the Netherlands and Dutch nationals in the UK, especially with regard to residence rights, access to the labour market, social security, driving licences, education, and short stays and visits. The withdrawal agreement protects the rights of citizens who were already in a cross-border situation before the end of the transition period.

The rights of citizens who become subject to a cross-border situation involving the EU and the UK after the transition period will depend on national legislation and the possible arrangements in the future partnership. Along with the rest of the EU, the Dutch government is making every effort to inform citizens as well as possible about the changes. Travellers must also prepare for the new situation.



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## Residence rights and access to the labour market in the Netherlands

## Recognition of professional qualifications

## Social security

### Measures taken and current message

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- Under the withdrawal agreement, British nationals already residing in the Netherlands at the end of the transition period can continue to live and work in the Netherlands. The IND will contact them and ask them to apply for a residence document. They do not have to take a civic integration exam.
- However, the civic integration process will be mandatory for UK nationals who wish to take up permanent residence in the Netherlands after the transition period. The IND and the Education Executive Agency (DUO) are preparing for this.

- Applications for recognition of professional qualifications submitted before the end of the transition period (including existing recognitions) will remain valid. The competent authorities have been informed of this.
- Nine months after the end of the transition period, the UK will cease its participation in databases like the Internal Market Information System (IMI).

- The withdrawal agreement provides for the coordination of social security for citizens who were already in a cross-border situation involving the EU and the UK before the end of the transition period. The agencies responsible for implementing social security legislation are preparing for this.

### Points to consider in case of a new partnership agreed in line with the political declaration

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- The political declaration states that arrangements will be made for entry and stay for purposes such as research, study, training and youth exchanges. The government will adjust its communication in line with any agreements made to this end.
- After the transition period, the Dutch Aliens Act and the Foreign Nationals (Employment) Act will apply to British nationals arriving in the Netherlands for other purposes than those stated above.

- The political declaration states that agreements will be made on the recognition of professional qualifications in the context of cross-border services. The government will adjust its information in line with any agreements made to this end.

- The political declaration states that arrangements will be considered for social security coordination in the light of future movement of persons. The government will adjust its information in line with any agreements made to this end.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

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- If no agreements are made to safeguard mobility, the Dutch Aliens Act and the Foreign Nationals (Employment) Act will apply to all British nationals arriving in the Netherlands after the transition period.

- If no agreements are made on the recognition of professional qualifications in the context of cross-border services, recognition in such cases will not be possible on the basis of a common EU-UK regime.
- New applications for recognition of UK professional qualifications in the Netherlands will be processed in accordance with the procedure for third countries.

- National legislation will apply if no agreements are made on social security coordination in the light of future movement of persons. This could result in individuals having duplicate cover or no cover at all for social security.

Transition period ends on 31.12.2020



## Higher education

### Measures taken and current message

- Under the withdrawal agreement, the situation for British nationals residing in the Netherlands at the end of the transition period will remain unchanged. They will be able to study here under the same conditions as EU students.
- For British nationals arriving in the Netherlands after the transition period, whether or not they are entitled to Dutch student finance and can pay the lower, statutory tuition fee depends on their residence permit.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on mobility, research, education and UK participation in the Erasmus+ programme. The government will adjust its information in line with any agreements made to this end.



## Driving licences

### Measures taken and current message

- British nationals already residing in the Netherlands can exchange their British driving licence for a Dutch driving licence during the transition period. They do not need to take a driving test. Local authorities and the Netherlands Vehicle Authority (RDW) are aware of this.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- For British nationals who hold a UK driving licence and move to the Netherlands after the transition period, their licence will only remain valid for 185 days.



## Taxation

### Measures taken and current message

- Under the withdrawal agreement, British nationals residing in the Netherlands at the end of the transition period remain entitled to their fiscal benefits as long as their situation is unchanged. This also applies to persons residing in the UK at the end of the transition period, but at least 90% of whose income is taxed in the Netherlands.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- According to national rules, persons who become subject to a cross-border fiscal situation involving the Netherlands and the UK after the transition period will be treated as third-country nationals. This means the fiscal benefits will lapse for this group.



## Travel

### Measures taken and current message

- British nationals will not need to apply for a visa for short stays in the EU on condition that this also applies to EU citizens travelling to the UK for short stays. The agencies responsible for implementing visa legislation have been informed of this.
- Citizens who fall under the withdrawal agreement may continue to use their identity card as a travel document to enter the UK until 2026. For citizens who do not fall under the withdrawal agreement, more information on the validity of identity cards for entry to the UK will be provided in the course of 2021.

### Points to consider in case of a new partnership agreed in line with the political declaration

- In the political declaration, the EU and the UK have affirmed that based on their respective legislation no visa is required for short stays. The government will adjust its information if this changes in any way.



## Travelling with pets

### Measures taken and current message

- When the transition period ends, pets travelling to and from the UK will be subject to additional requirements on top of the existing requirements set by the EU member states (rabies vaccination, microchip and pet passport). Persons wishing to take an EU pet with them on holiday to the UK should comply with these requirements, as customs officials will carry out import checks when they return to the EU. Customs officials will consult an NVWA veterinarian in the event of any departure from standard practice. See the [NVWA](#) website for more information.



## Family law and civil matters

### Measures taken and current message

- The withdrawal agreement contains provisions on the designation of the competent State and court of competent jurisdiction in legal proceedings instituted before the end of the transition period.

### Points to consider in case of a new partnership agreed in line with the political declaration

- In the political declaration, the EU and the UK have affirmed that they will implement the existing family law instruments effectively. The government will adjust its information if this changes in any way.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- The Hague Conventions will apply to proceedings instituted after the transition period.



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# Healthcare

The end of the transition period will have implications for the healthcare sector, including for health insurance, medical research and the security of supply of medical products and devices. Along with parties in the healthcare sector and EU partners, the Dutch government is making every effort to be as ready as possible

for all foreseeable consequences in this area. Much will change after the transition period. Various details still depend on the possible arrangements in the future partnership. Parties in the healthcare sector must prepare for the new situation.



## Access to state-provided healthcare and validity of the European Health Insurance Card (or a similar document with the same entitlements)

### Measures taken and current message

- The withdrawal agreement provides for the coordination of social security for citizens who were already in a cross-border situation involving the EU and the UK before the end of the transition period. The agencies responsible for implementing social security legislation are preparing for this.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that arrangements will be considered for social security coordination in the light of future movement of persons. The government will adjust its information in line with any agreements made to this end.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no arrangements are made for social security coordination in the light of future movement of persons, national legislation will apply to citizens who become subject to a cross-border situation involving the EU and the UK after the transition period. This could result in individuals having duplicate cover or no cover at all for state-provided healthcare.
- For these citizens, the European Health Insurance Card (EHIC) will no longer be valid in the relationship between the Netherlands and the UK. This will have implications for the health insurance of British and Dutch travellers and for healthcare institutions, care providers and others in the Netherlands.

## Security of supply of medicines and medical devices

### Measures taken and current message

- The government is working proactively to avoid issues relating to security of supply of medicines and medical devices.
- Critical medicines are systematically listed and EU-coordinated action is being taken on regulatory issues concerning medical devices.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that arrangements will be made on trade in goods, which could also cover medicines and medical devices.
- Healthcare parties are asked to assess their dependence on the UK and prepare for the end of the transition period.
- Businesses should make sure they meet EU market access requirements.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no arrangements are made on trade in goods, the security of supply of certain medicines, medical devices, in vitro diagnostic devices, medical research and human tissues could be at risk.

Transition period ends on 31.12.2020



# Border control processes

The end of the transition period will have implications for border control processes. After the transition period Dutch maritime ports and airports will become part of the EU's external border for goods crossing the UK-Dutch border where external border controls will be carried out. The capacity of the Royal Netherlands Marechaussee, the Netherlands Food and Consumer Product Safety Authority (NVWA) and Customs has been expanded accordingly. As the UK is not part of the Schengen area, travellers themselves are already subject to checks.

British nationals will be subject to rigorous checks when the transition period ends. Along with the rest of the EU, the Dutch government is making every effort to be as prepared as possible for all foreseeable consequences in this area. After the transition period much will change. Various details still depend on the possible arrangements in the future partnership. Businesses must also prepare themselves for the changes.



## Passport checks by the Royal Netherlands Marechaussee

### Measures taken and current message

- To be able to cope with the consequences of Brexit, the Royal Netherlands Marechaussee has received financial resources to carry out border controls at border crossing points and to process travellers' data.
- Operational and infrastructural measures have also been taken, in cooperation with the aviation and maritime sectors.

### Points to consider in case of a new partnership agreed in line with the political declaration

- In the political declaration, the EU and the UK have affirmed that in line with their respective legislation they will examine the possibility to facilitate the crossing of their respective borders for legitimate travel.

## The Netherlands Food and Consumer Product Safety Authority (NVWA) and other inspection authorities in the agricultural sphere

### Measures taken and current message

- The Netherlands Food and Consumer Product Safety Authority has expanded its capacity and is currently focused on retaining the recruited personnel.
- Other inspection authorities in the agricultural sphere (the Netherlands Inspection Service for Horticulture, the Quality Control Bureau and the Dairy Products Quality Assurance Board) are also working to increase their capacity.
- Other solutions are also being developed, notably flexible deployment of staff and redesign of the inspection processes.
- Regardless of the outcome of the negotiations, EU-UK trade will inevitably be affected by restrictions, certification requirements and border controls according to third-country rules. For example, live animals will only be able to enter the Netherlands at an approved border control post.

## Customs

### Measures taken and current message

- Customs capacity has been increased by around 930 FTEs. The focus now is on retaining personnel and on further recruitment to replace staff members who retire or resign.
- Changes to the IT systems will be tested in accordance with the Commission's timetable.

- Housing for Customs officials has been arranged. Where possible, these are structural arrangements.
- Preparations are being made to gradually step up risk-based enforcement of goods traffic, including passengers' luggage, at the Dutch-UK border.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that facilitative arrangements will be used in customs arrangements. This includes mutual recognition of trusted traders' programmes. The exact number of FTEs required will depend on the details of these arrangements. The government will adjust its information in line with any agreements made to this end.
- As part of the awareness-raising campaign, some 76,000 businesses received a letter at the end of July, urging them to start preparing for the post-transition period.
- As of September, Customs officials will start dry runs at the ferry terminals.
- There will always be border controls, even if the UK and the EU conclude a partnership agreement.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on regulatory aspects relating to the trade in goods, WTO rules will apply. This will mean import tariffs and technical barriers according to WTO standards.





# Logistics and transport

The end of the transition period will have consequences for transport by road, air and sea. For instance, without an agreement on a future partnership with the UK, air operators are not able to fly. The government is exploring the options with the EU to prevent this from happening. In order to minimise traffic congestion at ports, the Dutch government is drawing up traffic circulation plans with local and regional authorities and other partners.

Various details still depend on the possible arrangements in the future partnership. Businesses must also be prepared for the changes.



## Aviation: air freight

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that the EU and the UK will conclude a comprehensive agreement on aviation. The government will adjust its information in line with any agreements made to this end.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- After the transition period, the UK will no longer be part of the European Common Aviation Area. If no aviation agreement is concluded, aviation will no longer be possible on the basis of EU legislation. The Netherlands is exploring the options with the EU to prevent this happening.



## Aviation: air safety

### Measures taken and current message

- The aviation sector has been asked to convert flight crew licences issued by the UK to a licence issued by an EU member state. Depending on the outcome of the negotiations, these licences could lose their validity.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that the EU and the UK will conclude a bilateral aviation safety agreement. The government will adjust its information in line with any agreements made to this end.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- Failure to make agreements on aviation safety could disrupt the supply chain for parts, leading to shortages and restricted operational capacity in the EU aviation sector. The Netherlands is exploring the options with the EU to prevent this happening.



## Aviation security

### Measures taken and current message

- The Commission has amended EU legislation and added the UK to the countries that are part of the one-stop security (OSS) system. This means that passengers from the UK who transfer at Schiphol Airport will not be subject to extra security controls.
- With regard to ACC3, airlines will need to obtain validation from another EU member state. At EU level the Commission is taking the lead in redistributing and making practical arrangements for transferring UK validations.





## Road transport

### Measures taken and current message

- The National and International Road transport Organisation (NIWO) opened a helpdesk for businesses from 6 July to 14 August 2020, so that hauliers could submit digital applications for a CEMT permit. The road transport sector had been informed of this time period.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on market access for freight and passenger road transport operators. The government will adjust its information in line with any agreements made to this end.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no such agreements are made, it will not be possible for Dutch operators to maintain the current volume of freight transport from, to, via or in the UK. Resorting to the CEMT quota system would be a temporary measure, but is inadequate as a structural solution for the total flow of goods by road. CEMT permits are also relatively expensive for hauliers.



## Ferry terminals

### Measures taken and current message

- All parties concerned are regularly discussing their readiness for the end of the transition period and the arrangements being put in place to enable efficient processing of traffic flows (goods and passengers) to and from the UK.
- Ferry companies have agreed that after the transition period access to the terminals will only be granted if all formalities have been complied with, including pre-notification via the Portbase Port Community System.
- Rijkswaterstaat is coordinating the traffic circulation plans with all stakeholders. Agreements have also been made on temporary parking areas and the use of matrix signs to minimise congestion.
- The Brexit communications roundtable liaises with all parties involved to ensure communications are uniform.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on customs arrangements. The government will adjust its information in line with any agreements made to this end.
- When the ferry terminals at Europoort, Rozenburg, Hook of Holland, Vlaardingen and IJmuiden become part of the external border, customs procedures may cause congestion in and around the terminals.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are made about additional customs arrangements, the WTO rules will apply after the transition period.
- When the ferry terminals at Europoort, Rozenburg, Hook of Holland, Vlaardingen and IJmuiden become part of the external border, customs procedures may cause congestion in and around the terminals.



## Maritime transport

### Measures taken and current message

- The sector is urged to implement the Commission's recommendations on this matter.
- The EU has amended the TEN-T North Sea-Mediterranean Corridor, so that it no longer runs via the UK, but by sea between the ports of Ireland and those of France, Belgium and the Netherlands.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made regarding trade in goods, maritime services and a level playing field between the EU and the UK.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are made about maritime services, international regulations on maritime transport will continue to apply with regard to safety, the environment and port state control.
- Rescue operations at sea and mutual assistance will also be governed by international agreements.



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# Security and data exchange

The end of the transition period will have implications for security and data exchange. After the transition period it will no longer be possible to use EU instruments for police and judicial cooperation and information sharing with the UK. As far as data exchange is concerned, the same rules will apply to data exchange as for other non-EU countries. The UK will no longer be bound by EU rules on data exchange.

Along with the rest of the EU, the Dutch government is making every effort to be as prepared as possible for all foreseeable consequences in this area. After the transition period much will change. Various details still depend on the possible arrangements in the future partnership. Businesses must also prepare themselves for the changes.



## Police and judicial cooperation

### Measures taken and current message

- Police and Royal Netherlands Marechaussee liaison officers have been posted to the UK.
- The National Centre for International Legal Assistance (LIRC) is being expanded.
- The Public Prosecution Service and the Department for International affairs and Legal Assistance in Criminal matters (AIRS) are also being reinforced.
- Ongoing legal proceedings can largely be completed on the basis of Union law in accordance with the withdrawal agreement.
- In terms of legal assistance and extradition the relevant fall-back options have been identified.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made regarding police and judicial cooperation for tackling crime and terrorism.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on police and judicial cooperation, the possibilities for information exchange and cooperation in tackling crime and terrorism will become more limited, slower and more complex. It is important to monitor the workload of the police, Public Prosecution Service, Royal Netherlands Marechaussee and AIRS, as well as any shifts in criminal trends.

## Data traffic: personal data (GDPR and Law Enforcement Directive)

### Measures taken and current message

- The withdrawal agreement ensures that data stored before the end of the transition period is protected.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that the EU is working on the issuing of adequacy decisions, irrespective of the negotiations on the future relationship. If adequacy decisions are issued the government will adjust its communication accordingly.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If adequacy decisions are not issued by the EU the rules on the transfer of personal data to non-EU countries will apply. Government communication will need to be adjusted accordingly.

## Data: non-personal data

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on addressing unjustified data localisation requirements, similar to those laid down in the Regulation on the free flow of non-personal data.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- In principle, the EU and the UK are free to set data localisation requirements.

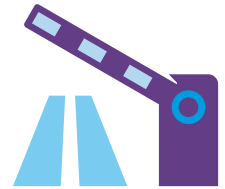
Transition period ends on 31.12.2020



# Market access and trade

The end of the transition period will have implications for market access and trade. If no new agreements are reached with the UK on the future partnership, other international (WTO) agreements and regulations will apply to imports and exports between the UK and the EU after the transition period. This means that, for example, unlike now, imports will be liable to tariffs and quotas may apply to certain products.

Along with the rest of the EU, the Dutch government is making every effort to be as prepared as possible for all foreseeable consequences in this area. After the transition period much will change. Various details still depend on the possible arrangements in the future partnership. Businesses must also prepare themselves for the changes.



## Market access and trade

### Measures taken and current message

- For information on customs and the Netherlands Food and Consumer Product Safety Authority (NVWA) see border control processes.
- The withdrawal agreement contains a number of arrangements on goods that are already on the market at the end of the transition period. Thereafter the UK will be treated as a third country for trade purposes. Businesses are being informed about this through existing channels, such as the Brexit desk and the Brexit Impact Scan.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on regulatory aspects of the trade in goods as well as customs arrangements. The government will adjust its information in line with any agreements made to this end.
- Preferential rules of origin will apply to businesses using the tariff arrangements set out in the agreement.
- Changes to the third-country regime could cause problems in production chains if suppliers can no longer deliver on time or their customers are unable to sell as much.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on regulatory aspects of trade in goods, WTO rules (tariffs and non-tariff barriers) will apply. This may cause problems in production chains if suppliers can no longer deliver on time or their customers are unable to sell as much.
- After the transition period product requirements in the UK and the EU may start to diverge. The same applies to conditions for controls on these requirements.

## Import tariffs and rules of origin

### Measures taken and current message

- During the transition period no proof of origin is required for trade between the EU and the UK and no tariffs are levied.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on rules of origin and the avoidance of tariffs. The government will adjust its information in line with any agreements made to this end.
- It is particularly important for businesses that they qualify for preferential rules of origin when using the tariff arrangements set out in the agreement.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on tariffs and rules of origin, WTO rules (tariffs) will apply. The government will adjust its information accordingly.





## Goods already on the market (veterinary and non-veterinary)

### Measures taken and current message

- **Non-veterinary**  
The withdrawal agreement stipulates that goods lawfully marketed in the EU or the UK before the end of the transition period may continue to be traded in the UK and the EU after the transition period until they reach the end-user.
- **Live animals, germinal products and animal products**  
The withdrawal agreement contains no transitional regime for live animals, germinal products and animal products, and the customs status 'Union goods' will lapse immediately. Products in these categories will therefore immediately fall under the third-country import and export regime. This will mean the introduction of sanitary and phytosanitary (SPS) checks at border control posts after the transition period. Businesses will need to take this into account.



## Dual-use goods

### Measures taken and current message

- The Commission will add the UK to the list of countries for which a Union authorisation is required. This obligation will apply after the transition period.
- Authorisation will be mandatory for the supply or forwarding of strategic goods (in particular dual-use goods), and such supplies must be reported to the Central Import and Export Office (CDIU). This office has been informed and is preparing for an increase in applications.



## Product certification and notified bodies

### Measures taken and current message

- Clarification and explanation of the obligation to use an accredited inspection body (notified body) established in an EU member state. After the transition period only product certificates from accredited notified bodies in the EU will be recognised. Businesses must therefore ensure that certification is carried out by an EU-based notified body for products for which this is required. Otherwise the product cannot be placed on the EU market.



## Intellectual property

### Measures taken and current message

- The withdrawal agreement stipulates that existing unitary intellectual property rights, including unitary brands and models, will remain protected in the UK and vice versa.
- Article VI of the Brexit (Miscellaneous Provisions) Act provides for continued protection of original topographies of semiconductor products registered in the Netherlands.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on mutual recognition and protection of intellectual property rights. The government will adjust its information in line with any agreements made to this end.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on mutual recognition and protection of intellectual property rights, international agreements, such as WTO/TRIPs, will apply.



## Services

### Measures taken and current message

- After the transition period the free movement of services will cease. The consequences of this are currently being communicated with the aim of raising awareness and encouraging businesses to prepare for the new situation.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on market access for service providers. The government will adjust its information in line with any agreements made to this end.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on market access for service providers, the WTO General Agreement on Trade in Services (GATS) will apply. This will affect market access and the national treatment of service providers.



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### Protected designation of origin, plant variety rights

#### Measures taken and current message

- The withdrawal agreement stipulates that existing unitary intellectual property rights, including plant variety rights and geographical indications of origin, will remain protected in the UK and vice versa.
- The withdrawal agreement also provides for transitional rights for pending applications.

#### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on mutual recognition and protection of intellectual property rights, including protected designations of origin. The government will adjust its information in line with any agreements made to this end.

#### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on mutual recognition of intellectual property rights, including protected designations of origin, existing international agreements will apply.



### Public procurement

#### Measures taken and current message

- The withdrawal agreement provides for the completion of ongoing calls for tenders.

#### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on providing mutual access to each other's public procurement markets. The government will adjust its information in line with any agreements made to this end.

#### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on access to public procurement markets, the Global Procurement Agreement (GPA) will apply, provided the UK becomes party to this agreement. In both cases the government will adjust its information accordingly.



### Audiovisual media companies

#### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on market access for service providers, including audiovisual media companies. The government will adjust its information in line with any agreements made to this end.

#### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on market access for British audiovisual service providers, British companies will have to apply individually to the Media Authority for a licence.



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# Other economic matters

The end of the transition period will have implications for other economic areas, such as financial services, fisheries, energy and climate. The Brexit desk (Brexitloket.nl) provides information for businesses on how to prepare. Along with the rest of the EU, the Dutch government is making every effort to be as prepared as possible for all foreseeable consequences in these areas.

After the transition period much will change. Various details still depend on the possible arrangements in the future partnership. Businesses must also prepare themselves for the changes.



## Financial markets

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on financial services.
- In addition, the Commission is looking at whether the regulatory framework and supervision of the UK financial market can be considered equivalent for relevant purposes.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on financial services and there is no equivalence decision, this will have implications for the financial markets. Financial institutions must therefore continue to take measures where necessary to ensure that they are well prepared for this scenario.

## Climate

### Measures taken and current message

- The withdrawal agreement lays down rules on the handling of climate obligations during the transition period.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on the continued participation of the UK in the Emission Trading Scheme (ETS).

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on the UK's participation in the ETS, UK companies will no longer be part of the ETS. The same applies to the quota scheme for F-gases.

## Energy

### Measures taken and current message

- Articles III and IV of the Brexit (Miscellaneous Provisions) Act have introduced measures to enable continued trade in electricity and gas with the UK.

### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on energy cooperation between the EU and the UK. The government will adjust its information in line with any agreements made to this end.

### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- The measures set out in the Brexit (Miscellaneous Provisions) Act are considered sufficient to compensate for unacceptable consequences of a scenario without a future partnership.

Transition period ends on 31.12.2020



### Fisheries

#### Measures taken and current message

- Close consultations with the sector and the European Commission on the progress of negotiations and the consequences of a scenario without a future partnership are ongoing.

#### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on access to each other's waters. The government will adjust its information in line with any agreements made to this end.

#### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- If no agreements are reached on access to each other's waters, EU fishers will no longer have access to UK waters and vice versa.



### Culture

#### Measures taken and current message

- Under current EU regulations cultural goods from the UK can be returned to the Netherlands without import duties for up to three years after the export date provided supporting documents are supplied.



### Telecommunication

#### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on cooperation in and market access for telecommunication services. The government will adjust its information in line with any agreements made to this end.

#### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- The absence of any agreements on market access for telecommunication services will have no consequences other than that different market conditions will apply (such as roaming tariffs). The government has already stated this in its information.



### International cooperation in the area of research

#### Points to consider in case of a new partnership agreed in line with the political declaration

- The political declaration states that agreements will be made on UK participation in Union programmes, such as Horizon Europe. The government will adjust its information in line with any agreements made to this end.

#### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- The absence of such agreements will result in the UK no longer participating in such programmes.



### Judicial cooperation in commercial matters (commercial dispute settlement)

#### Measures taken and current message

- The withdrawal agreement contains provisions on the designation of the competent State and court of competent jurisdiction in ongoing legal proceedings.

#### Points to consider in case of a scenario without a future partnership or on subjects not covered by an agreement

- New cases will be subject to the Hague Conventions and the Lugano Convention, provided the UK becomes a party to said conventions.



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