

### Introduction

On Friday 29 March 2019 the United Kingdom (UK) leaves the European Union. From that date, transport terminals such as the Dutch seaports become part of the external border of the European Union. Statistically the UK is an important exporting country for the Netherlands. Figures for 2017 from the Central Bureau for Statistics show that 237,000 trips are made to the UK (160,000 bilateral, 57,000 third countries and 20,000 own account).



### Current situation

At present a Community licence allows the carriage of goods by road for hire or reward within the EU. For transport to non-EU countries (so-called third countries) authorisations or ECMT licences are used. When the UK leaves the EU, the UK becomes a third country and in the event of a 'no-deal' scenario the Community licence is no longer recognised.

### What happens in a 'no deal' scenario?

When the UK leaves the EU alternative transport documents will be needed for access to the UK. Transport without documentation will be prohibited and maybe subject to large fines. The European Commission considers the introduction of a system of authorisations for transport to and from the UK. The outcome is unknown at present but it is unlikely that any system based on a new agreement will be ready by 29 March 2019.

It is also unclear if the 1969 bilateral agreement between the Netherlands and the UK, which agrees the mutual recognition of licences, remains extant as it has never been cancelled. Post-Brexit this would appear to be a matter for political decision. Currently the only option after 29 March 2019 is to revert to the European Conference of Ministers of Transport (ECMT) system.

### ECMT licences

The ECMT was established in 1953 with the aim of both facilitating trade and improving efficiency in the international road transport market. There are currently 43 member countries. Transport activities can be carried out subject to possession of the ECMT licence between the ECMT Member countries.

The multi-lateral quota ECMT system, introduced on 1 January 1974, currently has a basic maximum quota of 6,090 ECMT licences distributed among the ECMT Member countries. The Netherlands has a basic quota of 150 ECMT-licences. To promote the use of environment friendly and safe vehicles the basic quota can be multiplied by 4 (EURO IV), 10 (EURO V) or 12 (EURO VI). Therefore the Netherlands has approximately 1,700 ECMT licences. An ECMT licence is issued to a transport undertaking which holds a Community licence. The ECMT licence is valid for a year and can be used for all journeys to and from the UK. The ECMT licence has to be carried on board the vehicle and is interchangeable between vehicles but must be used by only one vehicle at a time. In theory it is conceivable that optimal use of the ECMT licences allows 250,000 journeys to be carried out annually. (Explanation: 3 journeys per week, 50 weeks, 1,700 licences:  $3 \times 50 \times 1,700 = 255,000$  journeys.)

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## BREXIT SUMMARY OF LICENCES

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page: 2 of 2

In practice fewer ECMT licences may be available, depending on how NIWO will distribute the number of licences among the applicants. Consequently all hauliers carrying out transport activities to the UK must engage with NIWO and respond fully to its enquiry. It is possible that applications will be refused.

Moreover of interest is that the UK also has considerably less ECMT licences than they require, of which most part is expected to be used for transport to Ireland. The UK will also be facing a shortage of ECMT licences for transport to the European mainland. Both France and Belgium do not have a sufficient number of ECMT licences to address their possible demand. While Eastern European countries (some of the Dutch transport hauliers have a subsidiary establishment in these countries) have a higher quota of ECMT licences, these countries use the majority of these licences for transport to neighbouring countries. Consequently this restricts their availability for transport to the UK.

NIWO expects that a lot of foreign-registered vehicles will travel to the Dutch harbours without the right documents.

NIWO will distribute the Netherlands quota of ECMT licences as optimally as possible in order to enable the maximum number of journeys after 29 March 2019.

*Transport for own account/cabotage operations/< 3,500 kg.:* ECMT licences can be used only for the carriage of goods by road for hire or reward; therefore these licences do not apply to transport for own account. The ECMT licence cannot be used for cabotage operations or vehicles whose total permissible laden weight does not exceed 3.5 tonnes.

*Semi-trailers only:* unaccompanied transport is not subject to licences. Transport undertakings can use this mode of transport.

### **ECMT authorisation for international removals**

ECMT authorisations are available for transport undertakings who are involved in international removals between ECMT countries. This authorisation is not the same as an ECMT licence. NIWO can issue these ECMT authorisations without limits. Therefore there are no difficulties for this kind of transport.

### **Customs/TIR carnet**

Transport undertakings must declare their goods at frontier offices. As an alternative the TIR carnet can be used. Goods are loaded on departure in a TIR certified vehicle and sealed. In principle during the international journey between member countries the vehicle is not subject to any further control after sealing the vehicle between the member countries. Formalities are limited to validating the new pages of a carnet. Focus of the control will be the loading and unloading. NIWO will be prepared to meet the possible increasing demand for TIR carnet.

Information: [www.niwo.nl/brexit](http://www.niwo.nl/brexit)

Questions: [brexit@niwo.nl](mailto:brexit@niwo.nl)