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BREXIT – a practical guide for CIPR members

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As things stand, the UK is set to leave the European Union on March 29, 2019. There are a number of scenarios that could emerge over the next few weeks:

- Parliament votes for a (revised) Brexit deal – the UK leaves the EU on March 29 and enters a transition period
 - An extension to Article 50 therefore delaying the departure date
 - A second referendum
 - A no-deal Brexit
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Preparing your organisation and scenario planning

Having the understanding of the potential scenarios your organisations face will be imperative to providing timely and clear communication to your customers, stakeholders and employees. If your organisations have teams in place to prepare for leaving the EU, work with them, even if there isn't anything to communicate immediately.

You should have a basic understanding of the processes surrounding the UK's departure from the EU so that you can work closely with your organisation or clients in the event of a 'deal' or 'no-deal' scenario. You should create a timeline for the different scenarios (deal – the Withdrawal Agreement that needs parliamentary approval or a 'no-deal') and work backwards to know what steps to take to prepare.

For further information on scenario planning please see our two Brexit scenario planning reports from [April 2018](#) and [June 2018](#).

Government advice

The Government's [Department of Exiting the European Union's website](#) contains a number of useful resources. The website provides everything from planning for a no deal to the latest news updates. In particular, it provides information that may be relevant to you or your staff on UK citizens living in the EU and for EU citizens living / working in the UK.

[More details.](#)

The Government has also launched a public campaign providing citizens and business with practical advice on how to prepare for the UK's departure from the EU.

[More details.](#)

There is a business tool to help you prepare by answering some simple questions – this can be used if you are in-house or agency / independent practitioner as part of your EU Exit preparations.

[More details.](#)

UK Government Withdrawal Agreement (the deal)

If this is agreed by Parliament, the UK will enter a transitional phase ending on December 31, 2020. During this period the UK will negotiate its future relationship with the EU as set out in the Political Declaration.

[More details.](#)



UK Government 'no-deal' preparations

If the UK leaves the EU without a deal, the UK will leave the EU with 'no-deal' on March 29, 2019.

Whether you are in-house, agency or an independent practitioner, having an understanding of what would happen in the event of a 'no-deal' for your organisations / clients will help you prepare robust communication plans.

The UK Government have published a series of 'technical notices' providing people with information on how to prepare in the event of a 'no-deal'.

[More details.](#)

Detailed technical notices which may relate to industries and sectors you work in can be found here.

[More details.](#)

These pages cover areas such as:

- Workplace rights
- Applying for EU-funded programmes
- Studying in the UK or the EU
- Travelling between the UK and the EU
- Importing and Exporting
- Labelling products and making them safe

Government information which may be relevant to your work

The following information is gathered largely from the government's public campaign material and isn't an exhaustive list:

Meeting business regulations

Copyright if there is a no-deal – The UK's continued membership of the main international treaties on copyright will ensure that the scope of protection for copyright works in the UK and for UK works abroad will remain largely unchanged. However, cross-border copyright would be affected if the UK leaves the EU in March 2019 with no deal. Here is more information on what you would need to do if there is no-deal.

[More details.](#)

Broadcasting and video on demand if there is no-deal: If there's no deal, the Audiovisual Media Services Directive (AVMSD) and the country of origin principle will no longer apply to services under UK jurisdiction that are broadcast into the EU, as the UK would be classified as a third country. Here is more information on what you would need to do if there is no-deal.

[More details.](#)

Traveling for work: If the UK leaves with a deal, travel to the EU will remain the same as now until at least 31 December 2020. You will not need to apply for a visa to travel or work in the EU during this time. If the UK leaves the EU without a deal, the rules, your rights and status when travelling or working in Europe will change after 29 March 2019.

[More details.](#)



Structuring your business and Cross-border business operations – The government will ensure that the UK continues to have a functioning regulatory framework for companies and that, as far as possible, the same laws and rules that are currently in place continue to apply. This will be done by using the powers in the EU Withdrawal Act 2018 to correct deficiencies in our statute book arising from our exit from the EU.

The UK government will continue to work with the Scottish government, Welsh Government and the Northern Ireland Civil Service, to ensure the future company law regime works across the UK. Here is more information on what you would need to do if there is no-deal.

[More details.](#)

Workplace rights

The EU (Withdrawal) Act 2018 brings across the powers from EU Directives. This means that workers in the UK will continue to be entitled to the rights they have under UK law, covering those aspects which come from EU law. Domestic legislation already exceeds EU-required levels of employment protections in a number of ways. The government will make small amendments to the language of workplace legislation to ensure the existing regulations reflect that the UK is no longer an EU country. These amendments will not change existing policy. Here is more information on what you would need to do if there is no-deal.

[More details.](#)

Money and tax

Vat for businesses if there's no Brexit deal – How VAT rules for UK businesses trading with EU countries would be affected if the UK leaves the EU on 29 March 2019 with no deal.

[More details.](#)

Applying for EU funded programmes

The Government's guarantee for EU-funded projects – In the event of a 'no deal', the UK will leave the EU Budget in March 2019 meaning UK organisations would no longer receive future funding for projects under EU programmes, such as the European Regional Development Fund and Horizon 2020, without further action. However, the Chancellor announced in [August](#) and [October 2016](#) that the government will guarantee EU projects agreed before we leave the EU, to provide more certainty for UK organisations over the course of EU Exit.

[More details.](#)

Personal data and consumer rights

Data Protection – If the UK leaves the EU in March 2019 with no agreement in place regarding future arrangements for data protection, there would be no immediate change in the UK's own data protection standards. This is because the Data Protection Act 2018 would remain in place and the EU Withdrawal Act would incorporate the GDPR into UK law to sit alongside it.

However, the legal framework governing transfers of personal data from organisations (or subsidiaries) established in the EU to organisations established in the UK would change on exit. You would need to take action to ensure EU organisations were able to continue to send you personal data. Here is more information on what you would need to do if there is no-deal.

[More details.](#)



Further information on data protection and Brexit can be found on the Information Commissioner's Office website.

[More details.](#)

Geo-blocking of online content – In a 'no deal' scenario, the UK version of the Geo-Blocking Regulation would be repealed. The original EU Regulation will continue to apply to UK businesses operating within the EU, and indeed all other non-EU businesses selling goods and services into the single market. Here is more information on what you would need to do if there is no-deal.

[More details.](#)

Consumer Rights – An Explanatory Memorandum was published in autumn 2018 alongside the Statutory Instrument to make the necessary changes to UK legislation.

[More details.](#)

Transport

Flights to and from the UK – If there is 'no deal' with the EU, airlines wishing to operate flights between the UK and the EU would have to seek individual permissions to operate from the respective states (be that the UK or an EU country). In this scenario the UK would envisage granting permission to EU airlines to continue to operate. UK Government would expect EU countries to reciprocate in turn.

[More details.](#)

Rail transport – In the event of 'no deal' on leaving the EU, the UK Government would still be able to pursue bilateral agreements with EU countries to maintain cross-border services. They are seeking mutual recognition of all necessary documentation so that operators from the UK and the EU can continue to operate cross-border services without disruption after exit.

[More details.](#)

Travelling between the UK and the EU

Mobile roaming – In the event that we leave the EU without a deal, the costs that EU mobile operators would be able to charge UK operators for providing roaming services would no longer be regulated after March 2019. This would mean that surcharge-free roaming when you travel to the EU could no longer be guaranteed. This would include employees of UK companies travelling in the EU for business.

[More details.](#)

Traveling within the Common Travel Area – If you are an Irish citizen you will continue to have the right to enter and remain in the UK, as now. You are not required to do anything to protect your status.

[More details.](#)



Further reading

Federation of Small Business –

[How to prepare your business for Brexit / small business Brexit pack](#)

Confederation of British Industry (CBI) – [How businesses are preparing for Brexit](#)

British Chambers of Commerce – [Business Brexit checklist](#)

Institute of Directors (IoD) – [Preparing your business for Brexit](#)

Institute for Government – [No deal Brexit preparations](#)

The Recruitment and Employment Confederation – [Brexit Hub](#)

The Institute of Chartered Accountants in England and Wales (ICAEW) –
How to prepare for Brexit – [checklist](#)

Design Business Association –

[Preparing your business for a no deal Brexit: Issues to consider](#)

Further support

[Northern Ireland](#)

[Scotland](#)

[Wales](#)

[CIPR monthly Brexit reports](#)

Contact

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