



## UK's Withdrawal From the EU Checklist to Assist in the Assessment of Implications

This checklist suggests areas to examine in the assessment of the potential impact of the UK's withdrawal from the EU. It is not exhaustive and does not indicate the underlying legislation that governs the relevant area. It is recommended that specific advice is sought on the relevant EU and local legislation, so that the relevant areas to monitor as the withdrawal process progresses can be determined.

### I. Trade in Goods

1. Will import duties for the companies' sales of products and purchases of supplies change?
  - a) For trade from the UK to the EU: Assess the *erga omnes* duties currently applied by the EU on non-EU countries.
  - b) For trade from the EU to the UK: Assess the UK's recent positions on duties within EU negotiations.
  - c) For trade from non-EU countries to the UK: For non-EU countries that currently have a Free Trade Agreement (FTA) with the EU, assess the change in duties if the FTA would no longer apply. For developing countries that benefit from the EU's preferences (Generalized Scheme of Preferences (GSP), GSP+ or Everything But Arms), assess the change in duties if the UK would not adopt the same preferences.
  - d) For trade from the UK to non-EU countries: See (c) above.
2. Does the company (or its customers) face anti-dumping or countervailing duties, either imposed by the EU or by other countries against EU products?
3. What is the role of the UK in the company's global supply chain?
  - a) If the UK currently serves as a logistics hub for the EU, this hub may need to move to one of the remaining EU Member States.

b) If the UK currently serves as a logistics hub for non-EU (as well as EU) trade, assess whether the UK may continue to be an attractive location.

4. Does the company use special customs procedures in the UK, such as inward processing or customs warehousing?
5. Does the company defer VAT payments in the UK for EU trade?
6. Are the product standards on the company's products currently set by the EU?

## II. Trade in Services

7. Does the company rely on EU common standards, 'passporting' or mutual recognition regimes to trade services?
8. Are the company's service providers currently subject to EU qualifications or mutual recognition of national qualifications through an EU regime?

## III. Regulatory Authorizations

9. Does the company rely on regulatory authorizations from the EU, either through a centralized EU agency or through a decentralized procedure through Member State agencies in order to conduct business?
10. Is the company's business otherwise subject to regulation?

## IV. Competition

11. Is the company planning a merger or acquisition that may trigger a review in either the EU or the UK?
12. Does the company have a dominant position in the market (or close to a dominant position) in either the EU or the UK?
13. Does the company receive state aid from the UK?

## V. Personnel

14. Does the company employ EU nationals in the UK? If so, are there any other facts or circumstances that would allow them to continue to live and work in the UK?
15. Does the company employ UK nationals in other EU Member States? If so, same questions as above.
16. Do company employees rely on the recognition of their professional qualifications in the EU in order to fulfill their roles (e.g., accountancy, legal)?

## VI. Investments

17. Has the company invested in facilities in the UK in order to access the EU market?
18. Are there bilateral investment treaties between the UK and the company's home country (or another country where the company has an entity)?

## VII. Subsidies and Funding

19. Does the company receive EU subsidies or funding?

20. Does the company rely on loans from the European Investment Bank?
21. Does the company require continued access to the European Capital Markets?
22. Do the company's suppliers or customers receive EU subsidies or funding?

If you have any questions regarding this checklist, please contact the Sidley lawyer with whom you usually work, or

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