



Luxembourg, 10 October 2019

Dear Customer,

After our earlier Brexit letters of last February and April to you (copy on www.cweb.lu) we now write to you again in case a NO-DEAL BREXIT happens on **31st October 2019 at 11 PM GMT**. This would bring necessary changes to your and CLdN's operational procedures, which we wish to update and summarise to you.

What changes after No-Deal Brexit ?

Upon a NO-DEAL BREXIT the UK is immediately leaving the EU and the EU Customs Union. From that moment, the UK and each EU country will for Customs' purposes have to act as Third Countries and Import and Export formalities on Goods moving to the UK from the EU or from the UK to the EU will immediately become mandatory. Many other regulations in respect of origin, quality and safety of Goods will also immediately apply.

The UK is planning for significant (temporary) simplifications of these new formalities on Goods moving to and from the EU in the period after a NO-DEAL BREXIT ('Day 1 No-Deal' or 'D1ND'). The EU on the other hand stands firm on immediately applying all regulations on all Goods moving from the UK into an EU country, in line with how the EU already deals with other Third Countries.

The obligations under most of the applicable regulations on Goods, fall first and foremost to the manufacturers or the owners of these Goods that move between the EU and the UK. However, both you and us in providing the land and sea transportation services of these Goods are obliged to take them into account in performing our services. It results that in some instances new obligations and mandatory procedures are imposed on you and us, with liability arising if we do not comply. Like all other businesses and citizens, we have therefore no choice but to obey these new rules and each of us must manage the practical consequences on our operations.

Exchanging information is the key !

In your operational relationship with CLdN, the main consequence will be that you have to provide us with more information than before on the Goods that are carried in the Unit of Transport, i.e. the trailer or (tank)container you entrust us to transport to or from the UK. Besides that, we will together find that from D1ND the Goods transported are temporarily held at each Customs border, until their release is confirmed by the Customs Authorities for onward transportation.

Our main challenge together after D1ND is therefore to maintain the flow of Goods through the correct and timely exchange between us, and the authorities, of the additional information required to permit the release by Customs of the Goods moving in the Unit of Transport. It is your responsibility to obtain and provide CLdN with the required information on each Consignment, i.e. each individual batch of Goods that travels in your Unit of Transport, which you will typically obtain in turn from your own customer or their customs agent. CLdN will provide you with the arrival notifications required by you.

To enable the above, CLdN has adapted its **C.WEB** booking system (www.cweb.lu). When you make a freight booking, C.WEB will ask you to provide additional information, but limited to that information strictly necessary in view of the applicable regulations to perform the sea transport and terminal handling of your Unit to or from the UK. You will have to provide this mandatory information at the level of each Consignment and confirm to us your info is correct and complete. To finalise your booking with us, you must also confirm for each Consignment the applicable Customs document number or MRN.

Only when your booking with us is finalised, will you be allowed to enter the Terminal of Departure. We will not accept Units of Transport with an incomplete booking, e.g. still awaiting the detailed Consignment information or confirmation of the export MRN, into our Terminals. We do this to avoid congestion at our terminals and at check-in gates, and to safeguard as much as possible those Units that have been correctly booked from suffering operational delays.

You can already make vessel bookings with us for after the Brexit date, but you will need to complete your booking with applicable Consignment and Export MRN information in C.WEB for all sailings from 1/11/2019.



To support your transport planning and dispatching of Units, we have developed a **C.WEB mobile application (m.cweb.lu)** that provides real time information on the permission status of any Unit to enter (or be picked-up from) our terminals. This information is also available in your C.WEB portal. We very much encourage you and your drivers to use this tool in order to avoid being turned away at the terminal gate. In D1ND at Rotterdam and Zeebrugge the port authorities will also make public waiting areas available in the port area where Units that do not yet have permission to enter a port terminal can wait.

If we get really busy or congested in our terminals, we reserve the right to immediately implement delivery and pick-up windows in one or more of our terminals. Typically, this will mean that Units can only be delivered a maximum of 24 hours before scheduled vessel departure and must be picked up within 24 hours of vessel arrival, with maximum consideration for longer windows at weekends. If this becomes applicable, we will still first send you a separate notification, but if need be at very short notice, including on suspending any terminal storage arrangement you have been given by us until further notice.

Moving Goods to the UK or moving goods to the EU will not be the same on D1ND !

Please note carefully that on D1ND there will be a significant difference on whether your Goods travel to the UK ('Westbound') or to the EU ('Eastbound').

On the **Westbound trade**, from an EU country to the UK, the UK proposes, until further notice, significant easements to the standard regime. In practical terms, this means that on Westbound freight bookings you will only have to provide us with an Export MRN (or alternative Customs procedure) for each Consignment in the Unit, but not with detailed Consignment information. This follows from the fact that CLdN will not have to provide the UK authorities with Safety and Security Declarations. C.WEB is set up to take this into account and you will not have to provide this information.

For Empty Units the UK in D1ND will not require Import or Export declarations, whether or not they still contain empty return packaging materials (e.g. racking, return packaging, pallets, etc.) that are not part of a sales transaction.

It is our understanding that Dutch Customs authorities require a standard Export Customs Declaration to be made if Units are not completely Empty but still contain packaging materials, racking etc. Belgian Customs authorities allow an 'Oral Customs Declaration' procedure for these Units containing such durable return packaging, whereby you book your Units in C.WEB providing a description of the items still contained in the Unit in the applicable field with keyword "Return" (e.g. Return pallets, Return racking, etc.). This information will be transferred by CLdN to the Belgian Customs authorities.

On the other hand, in combination with the above simplifications, the UK in D1ND requires that prior to departure from the EU a **UK Frontier Declaration** is lodged with HMRC or a declaration in your records is made. This should be in line with the new UK Transitional Simplified Procedures (**TSP**) for Approved Ro-Ro locations – category 'Ro-Ro'. Both CLdN terminals in the UK are on the list of Approved Ro-Ro locations. The obligation to make a Frontier Declaration rests however on the Importer, so you will need to agree who does this with your customers. For the avoidance of doubt, making a Frontier Declaration is necessary but is NOT a requirement CLdN has for you to be able to book or ship with CLdN.

For any sanitary or phytosanitary Goods you bring into the UK, there are no UK Border Inspection Posts (BIP) controls in D1ND, with the exception of non-EU origin Goods in transit. When applicable, you are responsible together with your customers to make any necessary arrangements for BIP inspections in the UK upon leaving the Terminal of Arrival.

On that basis, for Westbound traffic, upon your arrival in the UK Terminal of Arrival, you will be able to collect your Unit of Transport immediately and proceed out of the terminal, largely as you do today.

On the **Eastbound trade**, from the UK to an EU country, no easements apply on D1ND. You will therefore have to provide us at booking with detailed Consignment information and information on your Customs document (MRN), e.g. for Export or Transit (T1). CLdN will use this detailed Consignment information to lodge a Safety and



Security Declaration (SSD), which is a mandatory requirement for a ferry operator of non-accompanied Units moving between Third Countries.

For Empty Units, no customs declarations are required if Units are completely empty, which is indicated by you in C.WEB at booking. If Empty Units still contain items such as durable empty packaging materials (e.g. Return racking, return packaging, Return pallets, etc.) not part of a sales transaction, Dutch and Belgian Customs authorities allow an 'Oral Customs Declaration' procedure, whereby you book your Units in C.WEB providing a description of the items still contained in the Unit in the applicable field with keyword "Return" (e.g. Return pallets, Return racking, etc.). This information will be transferred by CLdN on your behalf to the Dutch and Belgian Customs authorities in line with applicable procedures. Please see www.cweb.lu for more details.

Upon vessel arrival in the EU Terminal of Arrival, all Units will be placed in the **Temporary Storage** regime. You can only procure release of your Unit from Temporary Storage by providing us with confirmation of the subsequent Customs document (MRN), e.g. for Import or Transit (T1). Again, the C.WEB portal and the C.WEB mobile application will in real time indicate the 'release confirmed' or '(customs) terminal hold' status of your Unit.

The EU will apply a full regime of sanitary and phytosanitary checks. If you transport certain categories of Goods, your driver must carry certain (original) documents and your Unit must pass by a BIP for a physical or documentary check. All CLdN EU terminals are in approved BIP areas, which you can therefore access from the terminal without further formalities.

We strongly advise you to make appointments at the relevant BIP already at time of booking your Unit with CLdN and at the latest prior to vessel departure in the UK. We specifically reserve our right to ask you for this confirmation of your BIP appointment before we load your booked Unit on our vessel, and we could decide to leave your booked Unit at the UK Terminal of Departure if no such confirmation is provided. Furthermore, on Eastbound routes, CLdN will in D1ND not accept Eastbound bookings for laden reefer trailers or containers, unless you have made a prior arrangement with us.

Use a port community information exchange platform !

As the flow of information between us is vital, we have planned for several ways in which you can exchange information with CLdN. Use C.WEB to manage your bookings with CLdN. To exchange customs related information, in the UK, CLdN and its terminals at Purfleet and Killingholme work with the community platform **MCP-Destin8**. In the Netherlands, we are connected to exchange customs information with you and the authorities via **PORTBASE**. In Belgium, we are connected to exchange customs information with you and the authorities via **RX-SEAPORT-eBalie Ferry**. We encourage the use of these platforms by you and us as much as possible, but it remains possible to also enter customs information directly into C.WEB via C.WEB online (manual entry or EDI exchange).

Should you have any queries in relation to the above and the attached, please do not hesitate to contact us further through your usual CLdN / C.RO Ports contacts or via customs@cldn.com or customs@croports.com.

Please visit the following websites for more and detailed information:

www.cweb.lu
m.cweb.lu (from mobile)
www.cldn.com
www.croports.com

UK: <https://www.gov.uk/brexit>
<http://www.mcplc.com/> (UK community platform)

NL: www.getreadyforbrexit.eu (Dutch ports)
<https://www.portbase.com/brexit/> (Dutch port community exchange)

BE: https://financien.belgium.be/nl/douane_accijnzen/ondernemingen/brexit (Belgian customs)
<https://rxseaport.eu/en/> (Zeebrugge port community exchange)