
STATUTORY INSTRUMENTS

2019 No. 47

**The Statistics of Trade (Amendment
etc.) (EU Exit) Regulations 2019**

PART 3

THE EXTRASTAT SYSTEM: TRADE WITH NON-MEMBER STATES

Modification of Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries

7.—(1) Regulation (EC) No 471/2009 of the European Parliament and of the Council of 6 May 2009 on Community statistics relating to external trade with non-member countries and repealing Council Regulation (EC) No 1172/95 is amended as follows.

(2) Revoke Articles 2(c), 3(1)(b) and (c), 3(2), 3(3) second sub-paragraph, 3(4) second sub-paragraph, 3(5), 4(3) to (5), 5(1)(f), 5(2) and (2a), 5(4) second sub-paragraph, 5(5), 6(1)(b), 6(1) second sub-paragraph, 6(3) second and third sub-paragraphs, 6(5), 7, 8, 9, 10, 10a, 11, and 13 final sentence.

(3) In Articles 5(1) opening words, 6(1) opening words, and 6(2), for each “Member States” substitute “The Commissioners for Her Majesty’s Revenue and Customs”.

(4) In Article 3(4), for “Member State” substitute “United Kingdom”.

(5) In Article 5(1)(c), for “Member States” substitute “United Kingdom”.

8.—(1) In Article—

(a) 1—

(i) omit “common” and “Community”,

(ii) for “countries” substitute “States”;

(b) 2(b) for everything starting with ““customs territory and ending with “Germany”, substitute “United Kingdom”;

(c) 2(d) for everything starting with “the ‘customs” and ending with “Code”, substitute ““the Commissioners for Her Majesty’s Revenue and Customs””;

(d) 2(e) for “as defined in the Customs Code” substitute “for the purposes of the Taxation (Cross-border Trade) Act 2018, Schedule 1”;

(e) 3(1)—

(i) for each “Member States” substitute “the Commissioners for Her Majesty’s Revenue and Customs”,

(ii) for everything starting with “Regulation (EU) No 952/2013” and ending with “Customs Code””, substitute “or under the Taxation (Cross-border Trade) Act 2018”,

(iii) after “export” insert “, including under a transit procedure”,

- (iv) for “Article 270 of the Union Customs Code” substitute “the Taxation (Cross-border Trade) Act 2018, Schedule 2, Parts 4 and 7”,
- (v) for “down in of the Union Customs Code” substitute “down in or under the Taxation (Cross-border Trade) Act 2018”,
- (vi) for “end-use” substitute “use”;
- (f) 3(4)—
 - (i) omit “importing and exporting”,
 - (ii) for “their national” substitute “its national”,
 - (iii) for “EUR 1 000” substitute “£873”;
- (g) 4(2)—
 - (i) omit “further”,
 - (ii) for “Article 116 of the Modernised Customs Code”, substitute “the Taxation (Cross-border Trade) Act 2018”,
 - (iii) after “economic operator” insert “, if required to make a supplementary declaration pursuant to the Statistics of Trade (Customs and Excise) Regulations 1992,”,
 - (iv) after “Regulation” insert “as if it is information that must be provided under regulation 4(1) to (8) of those Regulations, and regulations 4A to 13 of those Regulations apply accordingly”;
- (h) 5(1)(c) omit “importing or exporting”;
- (i) 5(1)(h) insert as point (iii)—
 - “(iii) and here, in Regulation (EU) No 92/2010 and in Regulation (EU) No 113/2010 references to the Combined Nomenclature, the CN, a chapter of the CN, a Combined Nomenclature subheading or chapter, a CN code, or a TARIC subheading are references to the corresponding provision in the customs tariff for the Taxation (Cross-border Trade) Act 2018, Part 1;”;
- (j) 6(2) omit everything starting with “To this end” and ending with “Article 11(2).”;
- (k) 6(3) and in 6(4), for “Member States” substitute “the Commissioners for Her Majesty’s Revenue and Customs”.

Modification of Regulation (EU) No 92/2010 implementing Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries, etc.

9.—(1) [Commission Regulation \(EU\) No 92/2010](#) of 2 February 2010 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards data exchange between customs authorities and national statistical authorities, compilation of statistics and quality assessment is amended as follows.

(2) Revoke Articles 1; 2(1), but only sub-paragraph (c); 2(2), but only sub-paragraphs (a) and (h) to (j); 2(5); 3(1) to (3); 3(5); and 4, final sentence.

10.—(1) In Article—

- (a) 2(1)—
 - (i) omit “European” in the heading,
 - (ii) after “National statistical authorities” insert “(the Commissioners for Her Majesty’s Revenue and Customs)”,

- (iii) omit “which customs authorities provided pursuant to the obligations referred to in Article 1”;
- (iv) for “Article 4(2) of Regulation (EC) No 471/2009” substitute “the Taxation (Cross-border Trade) Act 2018”;
- (b) 2(2)(g) omit everything starting with “where the statistics” and ending with “by that agreement.”;
- (c) 2(4)—
 - (i) for “Member States” substitute “The Commissioners for Her Majesty’s Revenue and Customs”;
 - (ii) omit the second sentence;
- (d) 3(4)—
 - (i) for “The Commission (Eurostat)” substitute “The Commissioners for Her Majesty’s Revenue and Customs”;
 - (ii) omit everything starting with “transmitted” and ending with “State”.

Modification of Regulation (EU) No 113/2010 implementing Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries, etc.

11.—(1) Commission Regulation (EU) No 113/2010 of 9 February 2010 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards trade coverage, definition of the data, compilation of statistics on trade by business characteristics and by invoicing currency, and specific goods or movements is amended as follows.

(2) Revoke Articles 4(5), but only sub-paragraphs (a) and (b); 6; 15(4); 15(7) to (9); 16(3) and (4); 20(3), second sentence (the one starting with “The transmission”); 21(3), second sentence, (the one starting “The transmission”); 24(2); 25(2); 26; and Article 28, final sentence.

(3) In Articles 4(1), 4(4), 4(5), 24(1), and Annex I paragraph (d) for each “Member State” substitute “United Kingdom”.

(4) In Articles 10(2), 17(2), 20(3) and 21(3) for “Member States” substitute “The Commissioners for Her Majesty’s Revenue and Customs”.

(5) In Articles 4(2), 7(2), 9(2) and 11(1) for “Customs Code” substitute “Taxation (Cross-border Trade) Act 2018”.

12.—(1) In Article—

- (a) 4(5)—
 - (i) omit “where the customs declaration is lodged”;
 - (ii) for “ the rate of exchange to be used shall be :” substitute “the rate of exchange to be used shall be the one specified in the public notice under the Taxation (Cross-border Trade) Act 2018, section 18(3)”;
- (b) 7(2)—
 - (i) after “provisions of” insert “or under”;
 - (ii) omit each “Member State or” and “Member State” (except for the purposes of (iv) below),
 - (iii) after each “non-member country” insert “(one outside the United Kingdom and that is not a member State)”;
 - (iv) for “dispatched to the Member State” substitute “dispatched to the United Kingdom”;

- (v) omit “in which the goods are located at the time of their release into the customs procedure”;
 - (c) 7(3)—
 - (i) after “non-member country” insert “(one outside the United Kingdom and that is not a member State)”,
 - (ii) omit “or customs approved treatment”;
 - (d) 9 omit “four digit”;
 - (e) 11 for “down by” substitute “down by or under”;
 - (f) 12 for each “European Union” substitute “United Kingdom”;
 - (g) 14 omit each “of Member States not belonging to the euro area”;
 - (h) 16(5)—
 - (i) omit “according to Article 4(1) of Regulation (EC) No 471/2009”,
 - (ii) for “Member States” substitute “the Commissioners for Her Majesty’s Revenue and Customs”;
 - (i) 17(2) for “3 million EUR” substitute “£2.62 million”;
 - (j) 19(2)(a) for “importing Member State” substitute “United Kingdom”;
 - (k) 19(2)(b)—
 - (i) for “exporting Member State” substitute “United Kingdom”,
 - (ii) omit “. If the vessel or aircraft is new, the export is recorded in the Member State of construction”;
 - (l) 19(3)(c)(ii) for “European Union” substitute “United Kingdom”;
 - (m) 19(4) for “a Member State” substitute “the United Kingdom”;
 - (n) 20(2) for “exporting Member State” substitute “United Kingdom”;
 - (o) 21(2) and in 22(2)—
 - (i) for each “importing Member State” substitute “United Kingdom”,
 - (ii) for each “exporting Member State” substitute “United Kingdom”;
 - (p) 22(4) and in 23(4), omit “acts of Union”;
 - (q) 23(2)—
 - (i) for “a Member State” substitute “the United Kingdom”,
 - (ii) for “in the Member State where” substitute “if the United Kingdom is where”,
 - (iii) for “in the Member State of” substitute “if the United Kingdom was the country of”;
 - (r) 23(4) omit “acts of Union”.
- (2) In Annex I, paragraph (j) for “1 000 EUR” substitute “£873”.

Modification of Regulation (EU) No 1106/2012 implementing Regulation (EC) No 471/2009 on Community statistics, as regards the nomenclature of countries and territories

13.—(1) Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories, is amended as follows.

- (2) In or after Article—
 - (a) 1 omit “the external trade statistics of the Union” and “between Member States”,

- (b) 3 omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.
- (3) In the Annex—
 - (a) in the heading, omit “THE EXTERNAL TRADE STATISTICS OF THE UNION AND” and “BETWEEN MEMBER STATES”;
 - (b) under “Miscellaneous”—
 - (i) omit the row for “EU”,
 - (ii) for each “intra” substitute “UK”,
 - (iii) for each “third” substitute “non-EU”.