



Association of
Translation Companies
DEFINING STANDARDS OF EXCELLENCE

Association of Translation Companies No-Deal Brexit Guide for Language Service Companies

Produced with funding granted by the Business Readiness Fund whose objective is to fund business representative bodies and organisations to engage and provide advice to UK-based businesses to understand the impact on their business and trading arrangements arising from the UK's eventual exit from the EU without a negotiated agreement. The fund is administered by the Department for Business, Energy & Industrial Strategy.

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Disclaimers

Information is supplied on an 'as is' basis and subject to change. The ATC advises you to take independent legal advice based on your own specific circumstances. Any third-party companies or organisations and their products or services referred to in this report are for illustration only no representation is made as to their suitability for you or your business.

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Foreword

It's been an interesting few weeks, months and years in the UK, and it's not over yet.

In our research on the effects of a No-Deal Brexit for the UK language services industry, and its EU suppliers, we've found that much remains unclear. However, what is crystal clear is that we will continue to help businesses communicate across borders, regardless of what happens with Brexit.

In a post-Brexit Britain, language services will play an increasingly crucial role in enabling UK businesses' export strategies. Language services are essential for international commerce and British exporters make use of a wide range of translation and interpreting services to bring their products and services to foreign markets.

We hope that our No-Deal Brexit webinars and this guide will help you turn uncertainty to mere paperwork, prepare for what's to come, and keep your focus on the opportunities this may open for your business. We're pleased we've been able to assist along the way.

Raisa McNab



Doug Lawrence



Introduction

This Guide is part of the ATC's No-Deal Brexit Readiness Project which includes:

- The ATC Language Industry Summit 2019 plenary session
- A series of five live and recorded webinars
- This ATC No-Deal Brexit Guide for Language Service Companies

This Guide is a point of reference specifically tailored for UK language service companies. Its value is in the deep insight its authors have of the challenges faced by the language services industry, and the extensive research carried out to identify the best and most authoritative resources.

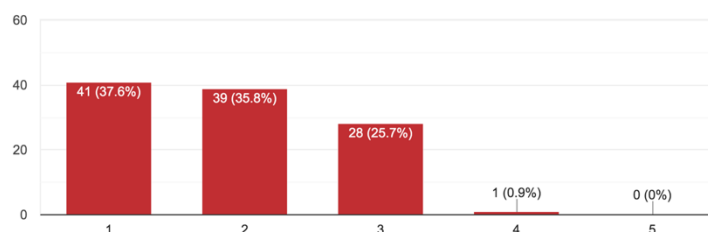
All webinars and this guide are free of charge to stakeholders of the UK language services industry: UK-based language service companies, UK-based freelancers, and the EU-based and international companies and freelancers supplying language services into the UK. Links to the recorded webinars can be found in Appendix B: ATC Webinars.

This project focuses on a 'no-deal' scenario. In the event of the UK exiting the European Union (EU) without a deal, the UK becomes a third country which means that individual EU Member States can apply their own individual rules to trading with the UK.

Uncertainty is perhaps the most frequent word we've encountered during our research for this report. Much of the information published is for providers of 'goods' (physical products)¹ rather than services, and where services are discussed it is generally for regulated industries such as legal or finance. A recent report from the Institute of Directors (IoD)² confirms that "firms have more clarity around the changes to trade in goods, chiefly because there is more clarity and uniformity laid down on what trading goods with the EU as a third country looks like compared to services" (IoD, 37).

The uncertainty surrounding 'services' post-Brexit does not help language service providers who are at the forefront of international trade. As shown in the chart below almost 75% of respondents to the ATC No-Deal Brexit Readiness Survey thought that Brexit would have a negative impact on their business.

How do you feel a no-deal Brexit will impact your business?
109 responses



In the ATC's No-deal Brexit Readiness Survey, no respondent thought Brexit would be positive for their business (on a scale of 1 to 5, 1 being the most negative).

Many of the business implications are shared with all stakeholders within the language industry – even universities who have translation students from the UK and the EU.

¹ Black's Law Dictionary: Goods (before 12c) 1. Tangible or movable personal property other than money; esp, articles of trade or items of merchandise. 2. Things that have value, whether tangible or not. Black's Law Dictionary 10th Edition for the iPhone and iPad Version 1.4 Copyright 2009, 2014 Thomson Reuters

² Brexit Resources: Business Planning for Brexit <https://www.iod.com/services/information-and-advice/resources-and-factsheets/details/business-planning-for-brexit-wbb>

EU, EC, EEA, or EFTA

This Guide refers to many bodies and agreements. The differences between EU, EEA, and EFTA can be significant and therefore worth specifying here. The definitions below are taken from The House of Commons Library Briefing Paper number 7840³.

European Commission (EC)

The European Commission is the executive body of the EU. It is responsible for proposing legislation, implementing decisions, upholding the EU treaties and managing the day-to-day business of the EU.

European Economic Area (EEA)

The European Economic Area (EEA) is made up of all 28 EU Member States + Norway, Iceland and Liechtenstein. The three non-EU EEA members apply most EU Internal Market laws, but not in the following policy areas:

- Common Agricultural Policy and Common Fisheries Policy (except some provision on trade)
- Customs union
- Common trade policy
- Common Foreign and Security Policy
- Justice and Home Affairs (but EFTA States are part of the Schengen area)
- Economic and Monetary Union.

European Free Trade Association (EFTA)

The European Free Trade Area (EFTA) comprises four States - Norway, Iceland, Liechtenstein and Switzerland. Norway, Iceland and Liechtenstein are in the EEA, but not Switzerland. Switzerland has a bilateral Free Movement of Persons Agreement with the EU which means EU citizens wishing to live or work in Switzerland can do so.

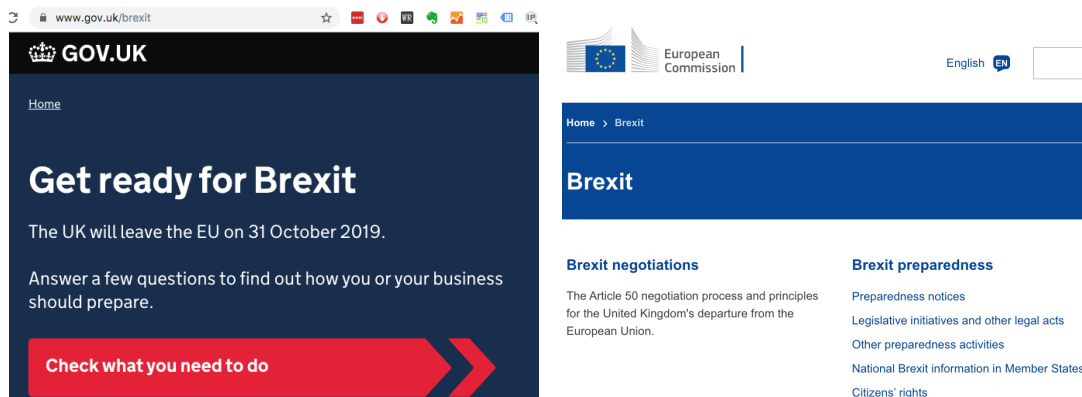
European Union (EU)

The European Union was formally established by the Treaty on European Union or Maastricht Treaty, which came into force in November 1993. The over-arching Union comprised three 'pillars': the European Community, the Common Foreign and Security Policy and Justice and Home Affairs.

³ The House of Commons Library Briefing Paper Number 7840, 5 June 2019, available to download as a PDF from <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7840>

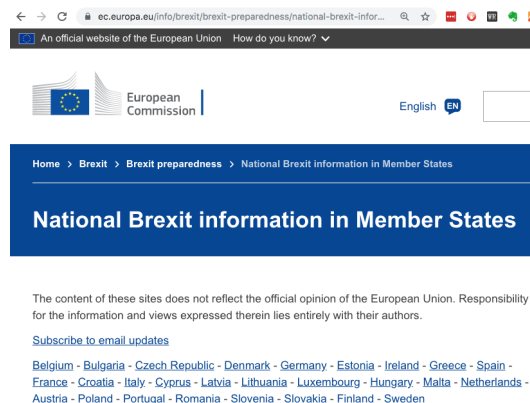
Process

In researching information for this report we have always sought the most authoritative sources. The two most important authoritative websites are the UK Government's <https://www.gov.uk/brexit> and the European Commission's <https://ec.europa.eu/info>.

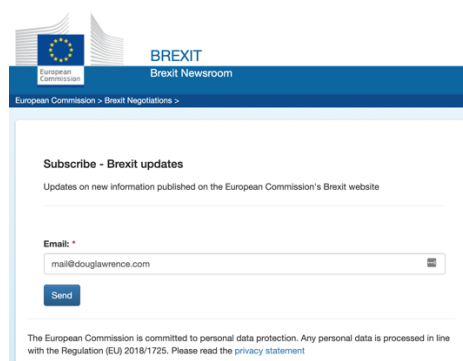


Usefully, both websites also provide links to other countries' Brexit readiness websites, and we recommend you to check these for the countries you specifically sell services to or buy services from.

The EC's national sites can be accessed via <https://ec.europa.eu/info/brexit/brexit-preparedness/national-brexit-information-member-states-en>.



Both gov.uk and ec.europa.eu have email alerts, <https://www.gov.uk/email-signup?topic=%2Fbrexit> and https://ec.europa.eu/newsroom/brexit/subscription-quick-generic-form-fullpage.cfm?service_id=963 respectively.

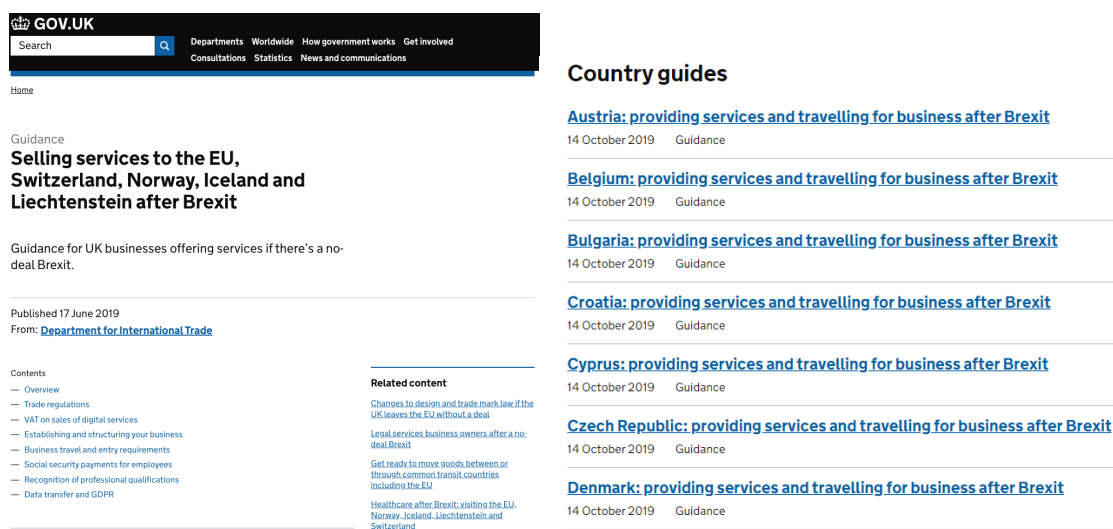


Selling services to the EU, Switzerland, Norway, Iceland and Liechtenstein after Brexit

In a no-deal scenario, the EU Services Directive⁴ will no longer apply in the UK.

The primary reference page at gov.uk for UK businesses offering services if there's a no-deal Brexit can be found at <https://www.gov.uk/guidance/providing-services-to-any-country-in-the-eu-iceland-liechtenstein-norway-or-switzerland-after-eu-exit>.

The hidden gem of this page is Trade Regulations section which contains a link to gov.uk's selling services guides to each EU and EFTA country at <https://www.gov.uk/government/collections/providing-services-to-eea-and-efsa-countries-after-eu-exit>.



GOV.UK

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Guidance

Selling services to the EU, Switzerland, Norway, Iceland and Liechtenstein after Brexit

Guidance for UK businesses offering services if there's a no-deal Brexit.

Published 17 June 2019
From: [Department for International Trade](#)

Contents

- Overview
- Trade regulations
- VAT on sales of digital services
- Establishing and structuring your business
- Business travel and entry requirements
- Social security payments for employees
- Recognition of professional qualifications
- Data transfer and GDPR

Related content

- [Changes to design and trade mark law if the UK leaves the EU without a deal](#)
- [Legal services business owners after a no-deal Brexit](#)
- [Get ready to move goods between or through common transit countries including the EU](#)
- [Healthcare after Brexit: visiting the EU, Norway, Iceland, Liechtenstein and Switzerland](#)

Country guides

[Austria: providing services and travelling for business after Brexit](#)
14 October 2019 Guidance

[Belgium: providing services and travelling for business after Brexit](#)
14 October 2019 Guidance

[Bulgaria: providing services and travelling for business after Brexit](#)
14 October 2019 Guidance

[Croatia: providing services and travelling for business after Brexit](#)
14 October 2019 Guidance

[Cyprus: providing services and travelling for business after Brexit](#)
14 October 2019 Guidance

[Czech Republic: providing services and travelling for business after Brexit](#)
14 October 2019 Guidance

[Denmark: providing services and travelling for business after Brexit](#)
14 October 2019 Guidance

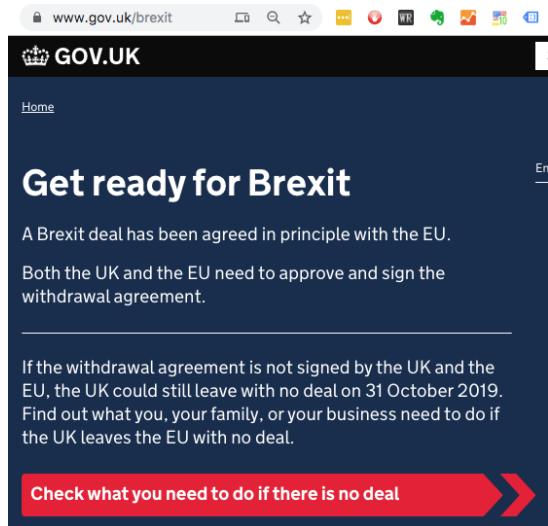
Most of these guides are at a high-level, and this is in part because the focus of most guidance is for regulated service industries such as legal services.

⁴ https://ec.europa.eu/growth/single-market/services/services-directive/in-practice/quick-guide_en

Gov.uk Brexit Interactive Guidance

When you click the big red button “Check what you need to do if there is no deal” on <https://www.gov.uk/brexit> you will be presented with an online questionnaire. After completing the questionnaire, the site will provide a list of links to other pages.

We completed <https://www.gov.uk/brexit> with questions we felt best represented a UK-based language service company.



What you need to do now to prepare for Brexit

Sign up to get email alerts about changes to Brexit information that may affect you

Based on your answers, we know:

- You own or operate a business or organisation
- You work in professional, legal and business services
- Your business provides services in the EU
- You employ EU citizens
- You exchange personal data with EU organisations
- You process personal data from the EU
- You use websites or services hosted in the EU
- You do not use or rely on intellectual property protection
- You do not receive EU or UK government funding
- You sell products or services to the public sector
- You have public sector contracts
- You have defence contracts
- You are a British national
- You live in the UK
- You are employed in the UK
- You travel to the EU for Business
- You plan to travel to Ireland
- You plan to travel to the EU
- You plan to travel to the rest of the world
- You plan to travel to the UK
- You are travelling with a pet
- You need to drive abroad

You and your family

Take out appropriate travel insurance with health cover before travelling to the EU Do it as soon as possible

You may not have access to free emergency medical treatment and could be charged for your care if you do not get health cover with your travel insurance.

Read the guidance: [Foreign travel insurance](#)

Check a passport for travel to Europe after Brexit Do it as soon as possible

You may not be able to travel unless your UK passport meets new validity rules.

Read the guidance: [Passport rules for travel to Europe after Brexit](#)

Contact your vet at least 4 months before travelling to make sure your pet is able to travel to the EU It takes at least 4 months

If your pet does not have the proper documents, you will not be able to take it with you.

Read the guidance: [Pet travel to Europe after Brexit](#)

Check what you need to do to make sure you can travel through the border of the country you are visiting Do it as soon as possible

[Start again](#)

The links to our ‘typical UK-based language service company’ responses are listed in the two tables below (the first for business the second for personal).

Your business or organization

Area	Link
Get legal advice if your business is merging with an EU company	https://www.gov.uk/guidance/merger-review-and-anti-competitive-activity-after-brexit
Check if your employees need to make social security contributions in the UK as well as in the EU, EEA or Switzerland	https://www.gov.uk/guidance/social-security-contributions-for-uk-and-eu-workers-if-the-uk-leaves-the-eu-with-no-deal
Accounting if there's a no-deal Brexit	https://www.gov.uk/guidance/accounting-if-theres-no-brexit-deal
Using personal data in your business or organisation if there's no Brexit deal	https://www.gov.uk/guidance/using-personal-data-after-brexit
Public-sector procurement after a no-deal Brexit	https://www.gov.uk/guidance/public-sector-procurement-after-a-no-deal-brexit
Apply to the EU Settlement Scheme (settled and pre-settled status)	https://www.gov.uk/settled-status-eu-citizens-families

You and your family

Area	Link
Take out appropriate travel insurance with health cover before travelling to the UK	https://www.gov.uk/guidance/healthcare-for-eu-and-efta-citizens-visiting-the-uk
Check a passport for travel to Europe after Brexit	https://www.gov.uk/guidance/passport-rules-for-travel-to-europe-after-brexit

Contact your vet at least 4 months before travelling to make sure your pet is able to travel to the EU	https://www.gov.uk/guidance/pet-travel-to-europe-after-brex
Check what you need to do to make sure you can travel through the border of the country you are visiting	https://www.gov.uk/visit-europe-brex
Check for disruption to your journey before you travel between UK and EU - border checks may take longer	https://www.gov.uk/visit-europe-brex
Check whether your mobile phone company has changed its mobile roaming charges before travelling to the EU	https://www.gov.uk/visit-europe-brex
Get motor insurance green cards for your vehicle, caravan or trailer if they're registered in the UK and you'll be driving in the EU or EEA	https://www.gov.uk/guidance/driving-in-the-eu-after-brex#insurance-for-your-vehicle-caravan-or-trailer
Check if you need an International Driving Permit before you drive in the EU, EEA or Switzerland	https://www.gov.uk/driving-abroad
Put a GB sticker on the back of your vehicle if it's registered in the UK, even if your number plate already shows GB with a Euro symbol	https://www.gov.uk/guidance/driving-in-the-eu-after-brex#gb-stickers-and-number-plates
Apply to the EU Settlement Scheme (settled and pre-settled status)	https://www.gov.uk/settled-status-eu-citizens-families

Additional useful links

Area	Link
UK companies with EEA corporate officers	https://www.gov.uk/guidance/changing-your-company-registration-if-the-uk-leaves-the-eu-without-a-deal#uk-companies-with-eea-corporate-officers
Establishing and structuring your business	https://www.gov.uk/guidance/providing-services-to-any-country-in-the-eu-iceland-liechtenstein-norway-or-switzerland-after-eu-exit#establishing-and-structuring-your-business
Structuring your business if there's a no-deal Brexit	https://www.gov.uk/guidance/structuring-your-business-if-theres-a-no-deal-brex

Freedom of Establishment and Free Movement of Services (EU Exit) Regulations 2019

If implemented, these regulations will disapply the Freedom of Establishment derived from the European Economic Area agreement between the EEA countries, Switzerland, and Turkey⁵. The ATC is monitoring this situation closely as it may negatively impact the ability of EU nationals set up and run businesses in the UK.

Read more at

<https://publiclawproject.org.uk/latest/freedom-of-establishment-regulations-briefing/>

<https://publiclawproject.org.uk/latest/plp-update-on-freedom-of-establishment-regulation/>

⁵Hansard transcript: [https://hansard.parliament.uk/Commons/2019-10-21/debates/98a99c82-a413-4a53-ad47-f72d1aaf55b7/DraftFreedomOfEstablishmentAndFreeMovementOfServices\(EUExit\)Regulations2019](https://hansard.parliament.uk/Commons/2019-10-21/debates/98a99c82-a413-4a53-ad47-f72d1aaf55b7/DraftFreedomOfEstablishmentAndFreeMovementOfServices(EUExit)Regulations2019)

⁶Parliament TV recording: <https://parliamentlive.tv/event/index/ab48e7b9-acac-4497-83ce-7fb47ca26183?in=18:00:08>

VAT (Value Added Tax)

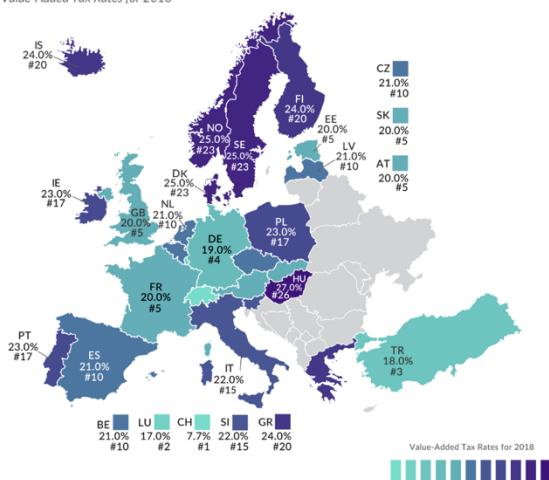
UK VAT

UK VAT (Value Added Tax) is collected by HMRC (Her Majesty's Revenue and Customs): for more information see <https://www.gov.uk/topic/business-tax/vat> and <https://www.gov.uk/topic/business-tax/import-export>.

To date, UK HMRC has been unable to confirm what happens with VAT on exporting services to the EU in the event of a no-deal Brexit. HMRC has stated "The UK will continue to have a VAT system after it leaves the EU⁷", and there is some hope that HMRC will not impose VAT on service exports to the EU, treating such trade as 'out of scope' of UK VAT.

EU VAT

VAT Rates in Europe
Value-Added Tax Rates for 2018



<https://taxfoundation.org/vat-rates-europe-2019/>

EU VAT is implemented in line with the VAT Directive <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32006L0112>. Further information can be found at https://ec.europa.eu/taxation_customs/business/vat/what-is-vat_en.

The most reliable source of information on current VAT rates in a particular EU country is that country's VAT authority which can be found at https://ec.europa.eu/taxation_customs/national-tax-websites_en.

An overview of the different rates applied in all EU countries is provided in the EU information document http://ec.europa.euhttp://taxation_customs/taxation_customs/resources/documents/taxation/vat/how_vat_works/rates/vat_rates_en.pdf. If the annual turnover of an entity is less than a certain limit (the threshold), which differs according to the Member State, the entity does not have to charge VAT on their sales.

⁷ <https://www.gov.uk/government/publications/vat-for-businesses-if-theres-no-brexit-deal/vat-for-businesses-if-theres-no-brexit-deal>

VAT status	Guidance
I'm VAT registered in the UK, do I need to charge VAT to clients in the EU?	<p>There is no definitive answer yet. Continue to check the developments.</p> <ul style="list-style-type: none"> • "If there's no deal" section of HMRC's page https://www.gov.uk/government/publications/vat-for-businesses-if-theres-no-brexid-deal/vat-for-businesses-if-theres-no-brexid-deal and • Place of supply of services (HMRC VAT Notice 741A) https://www.gov.uk/guidance/vat-place-of-supply-of-services-notice-741a
I'm not VAT registered in the UK, do I need to charge VAT to clients in the EU?	<ul style="list-style-type: none"> • The amount of money you can earn before you need to register for UK VAT (the VAT registration threshold) is currently GBP 85,000 https://www.gov.uk/vat-registration-thresholds. If you earn less than that then you not need to register for VAT and therefore do not need to charge UK VAT. • In the event of a no-deal Brexit it is possible that the country you are trading with could impose its own taxes. Check the European Commission page which lists all the links to National Tax Websites https://ec.europa.eu/taxation_customs/national-tax-websites_en
My supplier is VAT registered in their EU country, do they need to charge VAT to me if I'm based in the UK?	<ul style="list-style-type: none"> • Check the Member State's National Tax Websites linked to at https://ec.europa.eu/taxation_customs/national-tax-websites_en

EU VIES VAT number validation

The European Commission's online VIES VAT number validation at http://ec.europa.eu/taxation_customs/vies/ allows VAT numbers from member states to be checked. If the UK leaves the EU without an agreement it will no longer be part of VIES. UK businesses will be able to continue to use VIES to check the validity of EU business VAT registration numbers and HMRC is developing a service so that UK VAT numbers can continue to be validated⁸.

⁸ <https://www.gov.uk/government/publications/vat-for-businesses-if-theres-no-brexid-deal/vat-for-businesses-if-theres-no-brexid-deal>

GDPR

The EU describes GDPR (General Data Protection Regulation) as the "Protection of natural persons with regard to the processing of personal data"⁹.

The UK government states on <https://www.gov.uk/guidance/using-personal-data-after-brexit> that current UK Data Protection Act 2018 implements the EU's GDPR Regulation in the UK so that, even when the UK becomes a 'third country' following a no-deal Brexit, its legislation complies with GDPR. Despite this, the UK will remain a 'third country' until the EU deems it an 'adequate country'.

gov.uk notes that after Brexit UK businesses and organisations will still need to be compliant with data protection law. The UK Data Protection Act 2018 ¹⁰ overview can be downloaded from <https://www.gov.uk/government/publications/data-protection-act-2018-overview>. The UK government also advises keeping up to date by visiting the Information Commissioner's Office (ICO) website, specifically <https://ico.org.uk/for-organisations/data-protection-and-brexit/data-protection-and-brexit-for-small-organisations/>.

The ATC's position on GDPR in the event of no-deal, specifically for transferring personal data in content for translation, is that UK language service companies should ensure they have permission from their client to transfer data outside of the EU for processing, and that the client has permission to send the data to the UK.

⁹ <https://eur-lex.europa.eu/eli/reg/2016/679/oj>

¹⁰ <https://www.gov.uk/government/collections/data-protection-act-2018>

Banking

Making and receiving payments within the EU is a vital trading element of virtually every language service company in the UK.

All the banks we researched have Brexit 'hubs', usually with four categories of information:

- Personal banking
- Business banking
- General Brexit information
- The bank's own Brexit preparedness

Specific banking information is often a part of a broader Brexit resources and guidance. For example, section 4 "How are we planning for Brexit" of NatWest's "Your Guide to Brexit"¹¹.

Bank	Brexit link
HSBC	https://www.hsbc.co.uk/help/brexit/
Lloyds bank	https://resources.lloydsbank.com/brexit/
NatWest	https://www.business.natwest.com/business/natwest-business-bankingsupportcentre/brexit-hub.html
Santander	https://www.santander.co.uk/financing/international/brexit

Single Euro Payments Area

The UK banking is currently part of Single Euro Payments Area (SEPA). Even in the event of a no-deal Brexit the UK would maintain its participation in the SEPA payment schemes¹².

Lloyds bank, for example, states that "Brexit would have no immediate effect on cards and other payments between the UK and the EU" and "The majority of Lloyds Bank commercial customers will see no changes to their current products and services after Brexit"¹³. Lloyds do add the caveat "For a small number of clients, certain products may need to be withdrawn and replaced with alternatives or you may need to find alternative providers. For example, if your business is registered or domiciled overseas. If you are affected by any changes related to Brexit, we will have already contacted you where appropriate"¹⁴.

Financial services passporting

Passporting is "The provision of commercial services in another EEA (European Economic Area) country without requiring separate authorization to operate in that country"¹⁵. Following a no-deal Brexit, UK financial services firms, including banks, may lose their 'EU Passport'. HSBC warns "If you have entities in the EU that are using a UK bank to access financial services and products, they may need to use an EU-domiciled bank to access these services and products post-Brexit. Similarly, if your UK entities are using a bank established in the EU to access financial services and products, these entities may need to use a UK-domiciled bank entity"¹⁶.

¹¹ https://www.business.natwest.com/content/dam/natwest_com/Business_and_Content/PDFs/18-10-2019NW-your-guide-to-Brexit.pdf

¹² <https://www.europeanpaymentscouncil.eu/news-insights/news/european-payments-councils-decision-paper-brexit-and-uk-psps-participation-sepa>

¹³ <https://resources.lloydsbank.com/business-guides/brexit-faqs/>

¹⁴ <https://resources.lloydsbank.com/business-guides/brexit-faqs/>

¹⁵ <https://en.wiktionary.org/wiki/passporting>

¹⁶ <https://www.business.hsbc.co.uk/-/media/library/business-uk/pdfs/brexit-checklist.pdf>

Creating a business presence within the EU

With so much uncertainty surrounding the business impacts of a no-deal Brexit on the UK translation industry, many language service providers are considering setting up business entities in EU states to avoid difficulties and to send a clear 'open for EU business' statement to their clients and suppliers.

The options range from full immigration for individuals, moving a company to a member state, setting up branch offices, to creating an 'e-corporation' in a member state. In this section we will look at two options. Firstly, using Estonian e-residency to create an 'e-corporation' and secondly using the Republic of Ireland (ROI) as a member state base whilst highlighting some of the special trading terms between the UK and the ROI.

E-residency

E-residency within an EU member state may be an option for language service providers as it may provide legal EU representation within the EU. From our research, Estonia is a leader in e-residency with its official website <https://e-resident.gov.ee> and related blog <https://medium.com/e-residency-blog> provide a wealth of detailed easy to understand information. An interesting third-party documentary "E-stonia - A startup country - VPRO documentary – 2015" is available on YouTube¹⁷.

Estonian e-residency is linked to the Estonian government's e-services and provides an electronic identity and legal signature. Whilst not providing Estonian citizenship, e-residency can provide an EU base for operations and access to EU banking.

"e-Residency does not confer citizenship, tax residency, residence or right of entry to Estonia or to the European Union. It is not a visa or residence permit"¹⁸
Republic of Estonia E-Residency

E-residency taxes and costs

There is a treaty for the avoidance of double taxation between the UK and Estonia which will remain in force after a no-deal Brexit¹⁹. There are costs associated with e-residency with third-party providers such as Xolo²⁰ saying set-up costs can be around EUR 320 and monthly costs can be around EUR 80²¹. Corporate tax is a flat 20% monthly when profits are distributed²²²³. Mandatory VAT registration is **EUR 40,000**²⁴.

The steps to creating an Estonian e-company

The following information is extracted from the official Estonian government's webpage <https://e-resident.gov.ee/start-a-company/>.

1. Submit an application on <https://apply.gov.ee/> and get digital ID. Pay the state fee for application and choose a pickup location for your digital ID. Cost: €100
2. Choose a service provider and establish a company. Obtain an Estonian contact person and legal address. Cost: €50-100 monthly average
3. Register your company in Estonia. Pay the state fee for company registration and form your company's structure. Cost: €190
4. Apply for business banking. Find a fintech partner in e-resident.gov.ee service provider marketplace²⁵ to cover your company banking needs

¹⁷ <https://www.youtube.com/watch?v=9bYpk75JnZU>

¹⁸ <https://apply.gov.ee/>

¹⁹ <https://medium.com/e-residency-blog/how-can-e-residency-help-uk-entrepreneurs-in-a-no-deal-brexit-f4b16f12003b>

²⁰ <https://www.xolo.io/about>

²¹ <https://www.xolo.io/articles/combine-estonian-e-residency-with-xolo-leap> EUR 79 per month

²² <https://learn.e-resident.gov.ee/hc/en-us/articles/360000721597-Estonian-tax-basics>

²³ <https://learn.e-resident.gov.ee/hc/en-us/articles/360000172117-Taxes>

²⁴ <https://learn.e-resident.gov.ee/hc/en-us/articles/360000871738-VAT-registration>

²⁵ <https://e-resident.gov.ee/marketplace/service-providers/>

Setting up an EU Member State base: Ireland

This report section uses the Republic of Ireland as an example for setting up within an EU Member State. More general guidance can be found by visiting the European Commission's 'Starting a business' web page²⁶.

Ireland is a good choice as an EU base because there are already strong cultural, trade, and legal links with the UK, not to mention proximity, language, and even time zone.

gov.ie is a great website equivalent to the UK's gov.uk, although not all departments are within gov.ie. The best start is 'Brexit and Business' <https://www.gov.ie/en/publication/16638f-brexite-and-business/> and the downloadable 'Business Brexit guide'²⁷. Although both are aimed at Irish entities they link to other pages and guidance and provide an overview of the implications for Irish entities who might be clients and suppliers to UK language service companies.

The Irish Department of Business, Enterprise and Innovation (DBEI) has also issued a downloadable guide 'Getting Business Brexit Ready'²⁸ and a 'Brexit Preparedness Checklist'²⁹.

The Irish Citizens Information website, [citizensinformation.ie](https://www.citizensinformation.ie), provides information on setting up in business for 'Coming to set up a business or invest in Ireland'³⁰. The page provides information on the Immigrant Investor Programme, Start-up Entrepreneur Programme, Business permission, and Residency, as well as contact details of various authorities. The Irish IDA provides further information at <https://www.idaireland.com/invest-in-ireland>.

Ireland's equivalent of the UK's Companies House is the Companies Registration Office (CRO). A company can be incorporated at the CRO's website at <https://www.cro.ie/Registration/Company>. The CRO has specific information for post no-deal Brexit "If the UK leaves the European Union without any deal in place, companies which have only UK resident directors will be required to comply with section 137 Companies Act 2014. This is the requirement to have an EEA-resident director"³¹. The page also details option such as a bond or 'b67'³². Registration of a 'Foreign Company Branch' information can be found at <https://www.cro.ie/Registration/Foreign-Company>.

Commercial services companies, such as Company Bureau Formations Limited³³ and Cronin & Company³⁴, can also help set up an Irish corporate entity (The ATC makes no recommendation as to the suitability of any third parties mentioned here or in any other part of this Guide).

GDPR

Ireland's Data Protection Commission has an excellent Guidance Notice about 'Transfers of Personal Data from Ireland to the UK in the Event of a No-Deal Brexit'³⁵ and Standard Contractual Clauses including a downloadable template contract³⁶.

²⁶ https://europa.eu/youreurope/business/running-business/start-ups/starting-business/index_en.htm

²⁷ <https://assets.gov.ie/27644/861310d435ea4b13aa055ab58721f0fb.pdf>

²⁸ <https://dbei.gov.ie/en/What-We-Do/EU-Internal-Market/Brexit/Getting-Brexit-Ready/>

²⁹ <https://dbei.gov.ie/en/Publications/Publication-files/Brexit-Preparedness-Checklist.pdf>

³⁰ https://www.citizensinformation.ie/en/employment/types_of_employment/self_employment/coming_to_set_up_a_business_in_ireland.html

³¹ <https://www.cro.ie/About-CRO/Latest-News/ArtMID/1567/ArticleID/1285/Brexit-Planning>

³² <https://www.cro.ie/Portals/0/Companies%20Act%202014%20New%20Forms/B67%20form%20fillable.pdf>

³³ <https://www.companyformations.ie/company-formations/ireland-as-the-ideal-solution-for-brexit/>

³⁴ <https://www.croninco.ie/brexit-reasons-set-irish-company/>

³⁵ https://www.dataprotection.ie/sites/default/files/uploads/2019-10/Guidance%20on%20IE-UK%20Transfers%20under%20No-Deal%20Brexit_Oct19.pdf

³⁶ <https://www.dataprotection.ie/sites/default/files/uploads/2019-02/2010ClausesFeb19.doc>

UK residence rights of EU nationals

EU Settlement Scheme

In the event of a No-Deal Brexit, EU, EEA and Swiss nationals have until 31 December 2020 to apply to the EU Settlement Scheme to continue living in the UK, provided that they arrive before Brexit date.

The EU Settlement Scheme is a mandatory scheme for EU, EEA and Swiss nationals and their families. Depending on the length of continuous stay in the UK before applying, EU, EEA and Swiss nationals will be registered as “settled” or “pre-settled”.

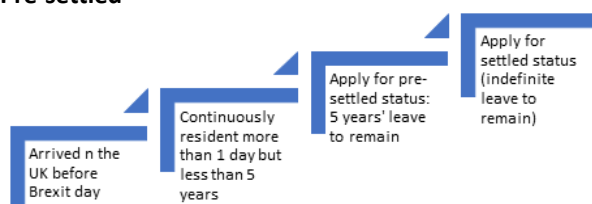
To qualify for “settled” status, 5 years of continuous residency is required. The status is a first step to British citizenship and corresponds to “indefinite leave to remain”. However, the status is lost if the holder leaves the UK for more than 5 years.

Settled



To qualify for “pre-settled” status, the applicant must be a resident in the UK before Brexit day. Pre-settlement corresponds to a 5-year leave to remain, which is lost if the holder leaves the UK for more than 2 years. After 5 years of residency, the holder must apply for settled status.

Pre-settled



For more information on the EU settlement see <https://www.gov.uk/settled-status-eu-citizens-families>.

To apply for settled or pre-settled status via a smartphone app, see <https://www.gov.uk/guidance/using-the-eu-exit-id-document-check-app>.

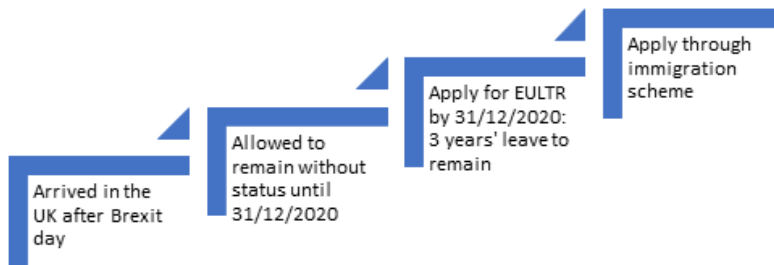
European Leave to Remain

EU, EEA and Swiss nationals who arrive in the UK after Brexit day will not be able to apply for the EU Settlement Scheme.

In a No-Deal scenario, EU, EEA and Swiss nationals will still be able to come to the UK to live and work until 31 December 2020, but will need to apply for a “European Leave to Remain” (EULTR) before 31/12/2020.

The EULTR corresponds to a 3-year leave to remain, but does not automatically lead to settlement. The holder must at the end of their EULTR find an alternative route to remain in the UK (e.g. immigration visa).

Route via EULTR



For more information about arriving to the UK after Brexit day see <https://www.gov.uk/government/publications/no-deal-immigration-arrangements-for-eu-citizens-moving-to-the-uk-after-brexite/no-deal-immigration-arrangements-for-eu-citizens-arriving-after-brexite>.

Future immigration scheme

The UK Government is in the process of overhauling the existing immigration system for EU and non-EU nationals.

In early 2019, the Government published a White Paper on the UK's future skills-based immigration system: <https://www.gov.uk/government/publications/the-uks-future-skills-based-immigration-system>. However, it has since instructed the Migration Advisory Committee (MAC) to carry out a consultation on an Australian-style points-based immigration system and salary thresholds associated with immigration, so there is little certainty over how the immigration scheme will look like after 31 December 2020.

Currently, non-EU immigration for employees of language service companies in the UK falls under the Tier 2 General visa scheme, which is also the likely route for employed translators, interpreters and multilingual project managers in the future.

The Association of Translation Companies is actively lobbying to safeguard language service companies' access to the linguistic skills of translators and interpreters, and to ensure that the route to these skilled roles remains accessible post-Brexit.

EU residence rights of UK nationals

All 27 EU Member States have adopted or prepared national contingency measures ensuring the residence rights of UK nationals who are legally residing in a Member State at withdrawal date in a no deal scenario.

A downloadable PDF providing a table contingency measures on residence rights can be found at https://ec.europa.eu/info/sites/info/files/table_eu27_contingency_measures_on_residence_rights_1.pdf. This is an overview of national preparations by the 27 EU Member States ensuring that – in the case of a no deal withdrawal – UK nationals who are legally residing in a Member State at withdrawal date will continue to be considered as legally residing. This information does not reflect the official opinion of the European Commission. Responsibility for the information and views expressed within the document lies entirely with the relevant national authorities of the Member States.

Please note that the situation may evolve, in particular as regards measures that have not yet been finally adopted. Please check regularly with the competent national administration for the latest information.

27 September 2019

Residence rights of UK nationals in EU27 Member States

All EU27 Member States have adopted or prepared national contingency measures ensuring the residence rights of UK nationals who are legally residing in a Member State at withdrawal date in a no deal scenario.

This is an overview of national preparations by the EU27 Member States ensuring that – in the case of a no deal withdrawal – UK nationals who are legally residing in a Member State at withdrawal date will continue to be considered as legally residing. This information does not reflect the official opinion of the European Commission. Responsibility for the information and views expressed therein lies entirely with the relevant national authorities of the Member States. Please note that the situation may evolve, in particular as regards measures that have not yet been finally adopted. Please check regularly with the competent national administration for the latest information.

	a) What kind of national measures have been or will be taken to guarantee the continued legal residence of UK nationals? b) What is the state of adoption of these measures?	What rights are granted?	a) Which administrative steps are required to acquire this status? b) When are applications possible? c) Is there an application deadline? d) Is there a fee and, if so, how much is it?	Are non-EU/UK family members of UK nationals covered?	How long does the measure apply?	What happens after the expiry date of the national contingency measures?	a) Is access to the EU long-term resident status available to UK nationals who have already been lawfully resident in a Member State for over 5 years, subject to meeting the conditions of Directive 2003/109/EC? b) Is access to national permanent residence available to UK nationals upon fulfilling the conditions? If so, after how many years of residence?	Additional advantages conferred to UK nationals in national contingency measures?
Belgium	a) The legislative act of 3 April 2019 provides that pre-Brexit residence permits (under free movement) remain valid during a transitional period until the 31 December 2020. b) A law has been adopted and published but will only come into force by Royal Decree which will be adopted when the UK withdraws from the EU (without a deal).	Residence rights of UK nationals are guaranteed, including i.a. their right of work without a work permit.	a) Existing residence permits as EU nationals remain valid. If they expire during transitional period, they can be prolonged upon application. b) No application needed, except if existing permit expires. UK-nationals whose residence permits run out in that period can have them prolonged until 31 December 2020. Pending applications for UK-nationals and their family members at the moment of the withdrawal will be treated according to the rules applying before the withdrawal. c) No, but the legislative act will only be valid until 31 December 2020. d) No since no application is needed.	Yes. Same rules as for UK nationals, provided family relation predates withdrawal date	The measures will cover the period until the end of 2020. This period can be modified by Royal Decree.	No decision has been taken yet.	a) Yes b) Yes. It will be available to UK nationals who have already been lawfully resident in a Member State for over 5 years.	

Travel

Travel in the UK, Ireland, and Europe is split into two areas: the Common Travel Area³⁷, covering travel between and within the Irish Republic and the UK, and the Schengen Area.

Today, the Schengen Area encompasses most EU States, except for Bulgaria, Croatia, Cyprus, Ireland, Romania and the UK. Schengen cooperation enhances EU freedom of movement by enabling citizens to cross internal borders without being subjected to border checks³⁸. The four EFTA member states, Iceland, Liechtenstein, Norway, and Switzerland are not members of the EU, but have signed agreements in association with the Schengen Agreement³⁹.

The Common Travel Area

The Common Travel Area (CTA) is a special travel zone between the Republic of Ireland and the UK, the Isle of Man and the Channel Islands. British and Irish citizens can travel freely within the CTA without being subject to passport controls. Such arrangements have existed since the establishment of the Irish Free State in 1922.

Both the UK and the Republic of Ireland maintain separate immigration policies but there is a significant degree of practical cooperation and policy coordination in order to ensure the security of the CTA⁴⁰. The BBC reported that the UK government issued a non-legally binding memorandum of understanding early in 2019 to continue the CTA post Brexit⁴¹.

“If you’re a British or Irish citizen, you will not have to take any action to protect your CTA rights if the UK leaves the EU without a deal. You will continue to have the same rights as now.” says gov.uk’s Common Travel Area Guidance⁴²

British or Irish citizens can work in either country, including on a self-employed basis, without needing any permission from authorities. The UK and Irish governments committed to recognition of professional qualifications, and **Irish citizens in the UK do not need to apply to the EU Settlement Scheme. Non-Irish and non-British citizen family members of Irish citizens who wish to remain in UK with, or join an Irish citizen in the UK in future, need to apply for a status under the EU Settlement Scheme**⁴³.

CTA arrangements for other country nationals

The arrangements for nationals of other countries are more complex. Although there are minimal immigration checks for journeys started within the CTA, nationals of other countries must have the relevant immigration permission for the country they are seeking to enter. EU, EEA and Swiss nationals have prevailing rights of entry and residence in the UK and the Republic of Ireland under EU ‘free movement’ law.

There are also reciprocal ‘associated rights’ or related arrangements that the UK and Ireland operate, that support residency for each other’s citizens. These include, for example, access to certain social security schemes for British and Irish citizens resident in each other’s countries, and access to primary and secondary education⁴⁴.

ETIAS Visa Waiver for Europe

In the event of a no-deal Brexit the European Travel Information and Authorization System (ETIAS www.etiasvisa.com) maybe an alternative for travel within the Schengen Area. The ETIAS for Europe will grant travellers authorization to visit ETIAS countries, which are the 26 members that compose the Schengen Zone.

³⁷ The UK Home Office CTA official document can be downloaded as a PDF from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/841219/common-travel-area-v6.0ext.pdf

³⁸ https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen_en

³⁹ https://en.wikipedia.org/wiki/Schengen_Area

⁴⁰ House of Commons Library Briefing Paper number 7840, 5 June 2019

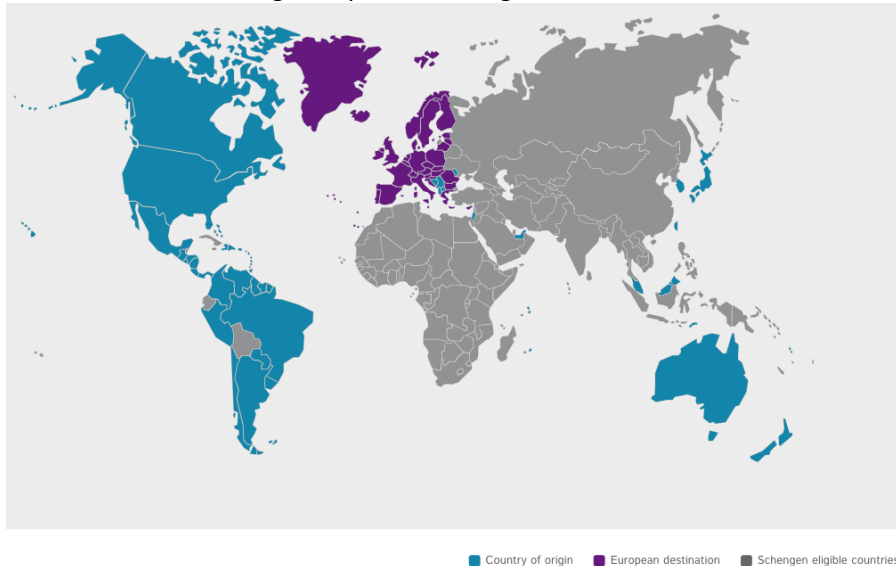
⁴¹ <https://www.bbc.co.uk/news/uk-northern-ireland-48194071>

⁴² <https://www.gov.uk/government/publications/common-travel-area-guidance/common-travel-area-guidance>

⁴³ <https://www.gov.uk/government/publications/common-travel-area-guidance/common-travel-area-guidance>

⁴⁴ House of Commons Library Briefing Paper number 7840, 5 June 2019

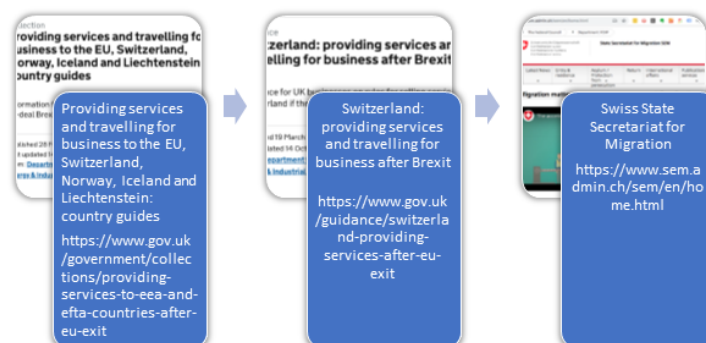
The countries that make up this specific region acknowledge the abolishment of internal borders with other member countries. Currently there are 60 countries that will need to apply for an ETIAS Visa Waiver when visiting the Schengen Zone. It is likely that ETIAS will be available to more countries in the future. The ETIAS Visa Waiver has been designed for short-term stays of up to 90 days. Tourists and business travellers will be expected to have an approved ETIAS when traveling to any of the Schengen member countries⁴⁵.



Source: <https://www.etiasvisa.com/>

gov.uk travel information for specific countries

gov.uk's collection web page "Providing services and travelling for business to the EU, Switzerland, Norway, Iceland and Liechtenstein: country guides"⁴⁶ provides links to other pages with information specific to each country. These pages themselves provide further links to each country's relevant travel information page in addition to overviews of providing services information.



⁴⁵ <https://www.etiasvisa.com/>

⁴⁶ <https://www.gov.uk/government/collections/providing-services-to-eea-and-efta-countries-after-eu-exit>

Appendices



Appendix A: Terminology Sources

The table below shows terminology sources in order of author's preference.

Source	Title	Link	Comment
BBC	Jargon-busting guide to the key terms	https://www.bbc.co.uk/news/uk-43470987	Very easy to use
House of Commons Library	Brexit Glossary	https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7840	Extremely comprehensive (downloadable)
The Guardian	Brexit phrasebook: a guide to the talks' key terms	https://www.theguardian.com/politics/2017/jun/19/brexit-phrasebook-a-guide-to-the-talks-key-terms	
European Parliament Directorate-General for Translation	Brexit glossary	https://termcoord.eu/2019/01/brexit-glossary/	Only 11 terms but links to six other sources

Appendix B: ATC Webinars

Webinar	Webinar recording	Downloadable slides
Preparing for the unprepared: How to trade post-Brexit Tuesday 8 October	https://zoom.us/recording/play/z4yrQvgHB2Df2tA0PvKzIzpi-9XmQGcnOrKND8UDDJMUbTSJWrdVYtHInYPS4PTx?continueMode=true	https://drive.google.com/open?id=19xMp1nJgcoZU444JBshjZv1eRjV6h_CT
Immigration and Brexit with Louis MacWilliam Thursday 10 October	https://zoom.us/recording/play/3DmU236-ppO05T1A6VI7tK8kCUDvFL9KMjJQbryavStAcdegg4N7SMLs2zSZwO-c?continueMode=true	https://drive.google.com/open?id=14KYEG22BKP KYVQYgF9NSu7j4ki7Y0ImK
How to trade with UK companies post-Brexit Tuesday 15 October	https://zoom.us/recording/play/zBhoMzaviDSf9_F09RJYA4ltlpjDCpEpcF_pWTmF9uKOLzrEvXN8QiG4gi86QD9X?continueMode=true	https://drive.google.com/open?id=1F2bTvdMkd70aMy_w4zLYo1x5w6Y_gkeh
Brexit No-Deal for UK freelancers Thursday 17 October	https://zoom.us/recording/play/4y_B03Flw51zXOiPekHHVKHt9fVSN90xMs8tjWBJVqFHUBQk_NPEBRjdO5e-s4g?continueMode=true	https://drive.google.com/file/d/1F2bTvdMkd70aMy_w4zLYo1x5w6Y_gkeh/view
Brexit and setting up shop overseas Thursday 17 October	https://zoom.us/recording/play/akfcmZeMMp o_PZkWxMLdmUFgVgHnlyn0qTCIUTIEQVf6LuKp2LisYDCTbiLRBdkr?continueMode=true	https://drive.google.com/file/d/1nCcLD-xOn-M8P6hfPLOBMloz_8pRTEuK/view?usp=sharing

Appendix C: Using gov.uk

gov.uk is an enormous website with some 63.2 million pages indexed by Google, 78,000 of which mention 'no-deal Brexit'. The site's size and reliance on text rather than images can make the site intimidating. Spending more time on the site will quickly reward you as you learn to navigate and extract the data you need.

Padlock verification

Search box

Updates

Location 'breadcrumbs'

Title

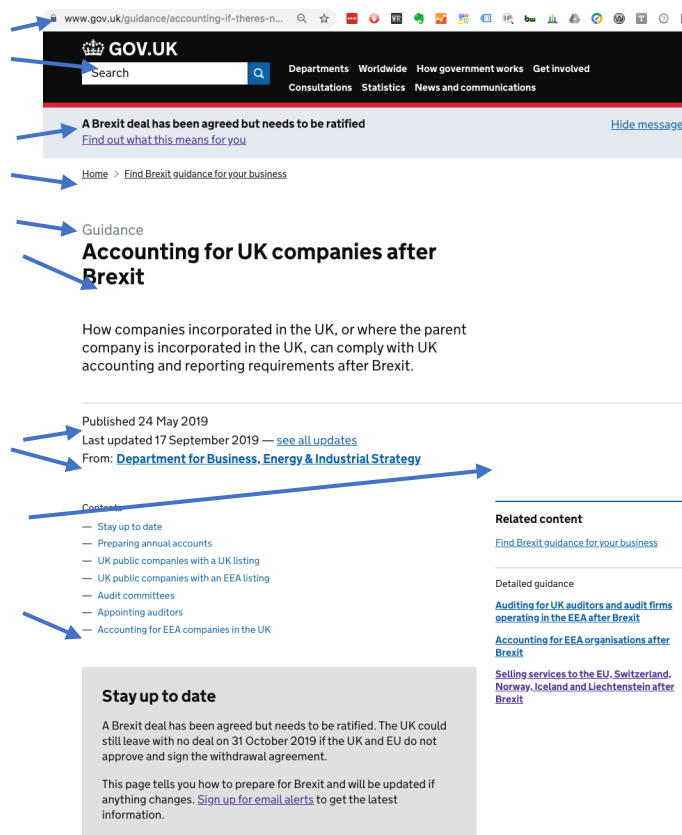
Overview

Publishing dates

Hyperlinked table of contents

Related content

Content



www.gov.uk/guidance/accounting-if-there-s-n...

GOV.UK

Search

Departments Worldwide How government works Get involved
Consultations Statistics News and communications

A Brexit deal has been agreed but needs to be ratified
[Find out what this means for you](#) [Hide message](#)

Home > Find Brexit guidance for your business

Guidance

Accounting for UK companies after Brexit

How companies incorporated in the UK, or where the parent company is incorporated in the UK, can comply with UK accounting and reporting requirements after Brexit.

Published 24 May 2019
Last updated 17 September 2019 — [see all updates](#)
From: [Department for Business, Energy & Industrial Strategy](#)

Contents

- Stay up to date
- Preparing annual accounts
- UK public companies with a UK listing
- UK public companies with an EEA listing
- Audit committees
- Appointing auditors
- Accounting for EEA companies in the UK

Stay up to date

A Brexit deal has been agreed but needs to be ratified. The UK could still leave with no deal on 31 October 2019 if the UK and EU do not approve and sign the withdrawal agreement.

This page tells you how to prepare for Brexit and will be updated if anything changes. [Sign up for email alerts](#) to get the latest information.

Related content

[Find Brexit guidance for your business](#)

Detailed guidance

[Auditing for UK auditors and audit firms operating in the EEA after Brexit](#)

[Accounting for EEA organisations after Brexit](#)

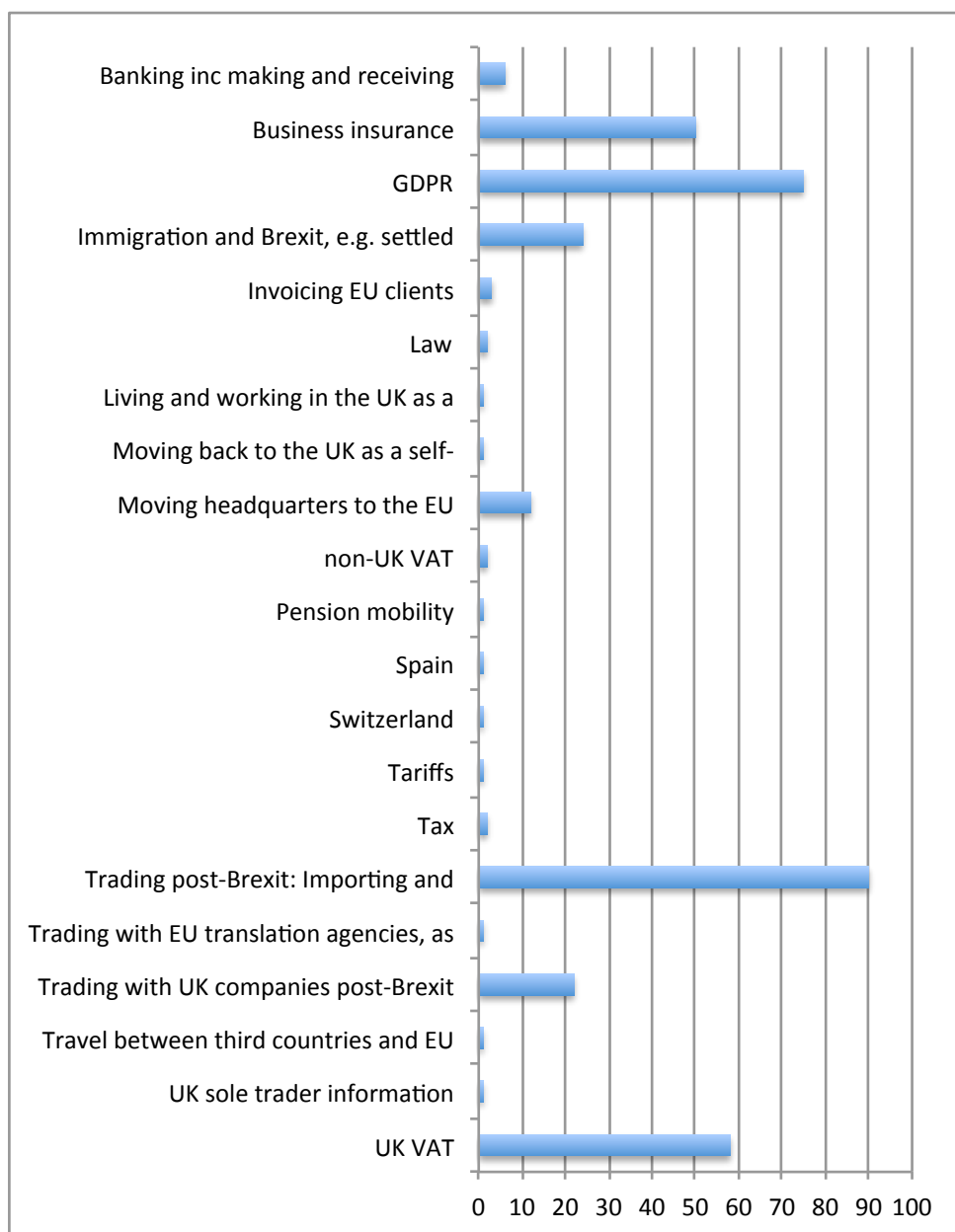
[Selling services to the EU, Switzerland, Norway, Iceland and Liechtenstein after Brexit](#)

Appendix D: ATC No-Deal Brexit Readiness online questionnaire

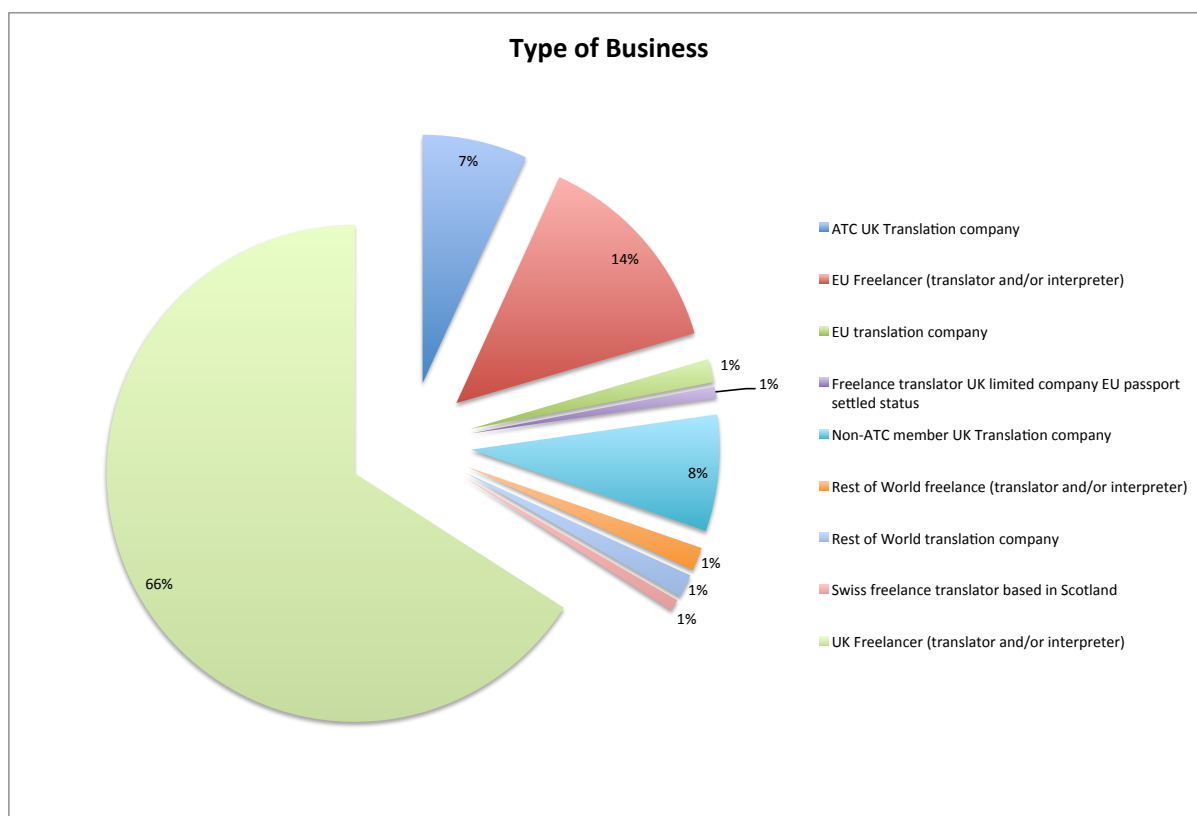
Altogether 117 people completed the online questionnaire.

Please select as many of the following issues which may concern you in the event of a no-deal Brexit:

- ☐ How to trade post-Brexit: Importing and exporting with EU clients and suppliers
- ☐ UK VAT
- ☐ GDPR
- ☐ Business insurance
- ☐ Immigration and Brexit, e.g. settled status
- ☐ How to trade with UK companies post-Brexit (for EU language providers)
- ☐ Setting up an office in the EU to facilitate trade
- ☐ Moving to headquarters to the EU
- ☐ Other (please specify)



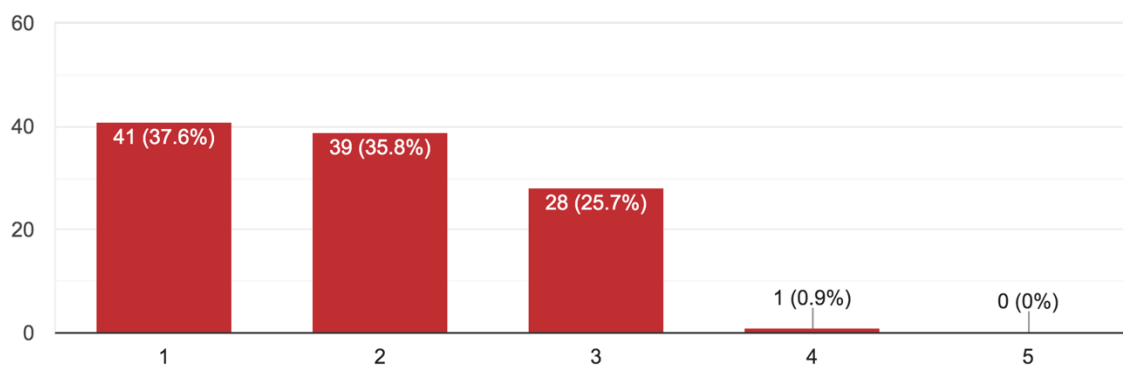
Which of the following best describes your business (you may select more than one option)?



How do you feel a no-deal Brexit will impact your business?

How do you feel a no-deal Brexit will impact your business?

109 responses



The survey also had 45 individual free text responses.