**Impact of UK-EU Trade Agreement on Services & Investment**

*The Department of Business, Energy and Industrial Strategy is monitoring the impacts the UK-EU Trade and Cooperation Agreement (TCA) on business in the UK, in particular looking at the impact on cross border services and investment and on freedom of movement of professionals..*

*BEIS are looking to understand the challenges being faced by businesses as a result of the TCA and to help to identify further actions and mitigations that the Department may be able to take to support them.*

*If you have responses to* ***the questions please respond to*** ***tins.bear@beis.gov.uk***. It would be helpful if you copy responses to technical@cibse.org so that we are aware of the key issues being raised.

***BEIS request responses by the 30th of September.***

We are undergoing monitoring work to understand the impact of the UK-EU deal from a Services and Investment perspective. At this stage, we are particularly interested in understanding the initial reactions to the implementation of the UK-EU TCA.

**What is being asked**

The questions below cover four areas of particular interest to BEIS from a Services and Investment perspective. Additional comments may be submitted but these should supplement answers to the questions and not be a substitute. Please keep additional comments constructive and ideally identify what outcomes or actions you are proposing – as engineers we want to offer solutions as well as identifying problems!

**CBTS/ Investment/ Domestic Regulation:**  *Freedom of establishment, people and capital rights, the ability to move freely within the EU and automatic rights to have qualifications recognised have ended on the 31December 2021. Mode IV trade is subject to the Trade and Cooperation Agreement and the host nation’s immigration system. Businesses only have the right to establish if they meet the host nations local rules. These questions are designed to explore the specific challenges related to cross border trade in services, investment, and domestic regulation. It also explores where new barriers have emerged, and how these have affected business decisions.*

**Recognition of Professional Qualifications:** *Automatic recognition of qualifications ended on the 31 December 2021. Professionals will have to seek recognition in the member state they wish to practise in via an existing third country route (until a new mutual recognition agreement can be established) or existing Mutual Recognition Agreements where these exist. These questions are designed to explore the specific challenges relating to recognition of professional qualifications, including those related to the hiring of staff, and the potential for labour shortages.*

***Mode IV/Mobility:*** *Freedom of movement between the UK and EU ended on 31 December 2020. Businesses that move employees/contractors between the UK and EU may now need to apply for visas and/or work permits. These questions are designed to explore the specific challenges related to the movement of staff, including understanding of new rules, and how business activities have changed and where these issues have been caused by the COVID-19 pandemic.*

**How we will use your information**

Your personal information will be stored securely and will only be accessed by researchers and policy officials leading this engagement exercise within BEIS. Your personal information will be stored securely and will only be accessed by researchers and policy officials leading this engagement exercise within BEIS. For more information, please refer to the BEIS’ Personal Information Charter. Our processes will comply with General Data Protection Regulations and your personal identity will not be disclosed.

We would like to be able to use the information that you provide in this interview to help develop policy in BEIS and within other Government Departments. To do this, we will pull together the information you provide with responses from other businesses and stakeholders to produce a summary report, from which we may wish to extract examples and quotations to form case-studies. You can choose to share this information with your organisation named, or anonymously, for circulation either within BEIS, or across Whitehall.

**Response**

|  |  |
| --- | --- |
| **Do you consent to participate in this research?**  | Choose an item. |
| *Can we share your organisation’s identity*  |
| a) across BEIS? | Choose an item. |
| b) across all Government Departments, including the governments of the devolved nations?  | Choose an item. |
| c) across all Government Departments, including with ministers?  | Choose an item. |
| *If you would prefer us not to share your organisation’s identity:*  |
| e) Can we share your responses in anonymised form?  | Choose an item. |

**Overarching Services and Investment questions**

1. What are the key challenges/barriers/disruptions to trade that businesses have encountered in relation to services and investment since EU Exit and what impact has that had (e.g. around work permits and work visa, business travel to the EU, getting professional qualifications recognised, opening a new branch or subsidiary, market access, data/data adequacy rules or barriers)?
2. What are the key opportunities for businesses as a result of the EU Exit (e.g. opportunities to establish branches or subsidiaries in the EU, new trading and recruitment opportunities in Rest of the world markets)?
3. What are businesses experiences of government guidance on permitted short-term business visitor activities, visas, work-permits, establishment rules, domestic regulations in EU member states, reservations, authorisation or licence, the existence of mutual recognition agreements relating to specific qualifications?

(Have they accessed any of this guidance on the gov.uk website? What are the stakeholders experience of the gov.uk guidance?)

1. What further support do businesses require from the government (or elsewhere)? (e.g. Improve government guidance, provide financial support, negotiations with members states, ensuring TCA is correctly implemented with MS)

**CBTS, Investment, and Domestic Regulation specific questions**

1. To what extent are businesses aware of the new rules/restrictions around nationality, residency of board make-up and ownership of companies?
2. What have been businesses experiences of applying for any authorisation or licence to provide services and/or invest in an EU members state after the end of the transition period?
3. Which EU Member State/s did they apply for the authorisation or licence in?
4. What services was the authorisation/licence related to?
5. Were businesses able to complete all necessary processes and procedures online?
6. Were they able to pay the relevant fees for the authorisation or online licence?

**Recognition of Professional Qualifications specific questions**

1. What changes have businesses experienced to the recognition processes for qualifications since the UK left the EU?
2. To what extent have businesses experienced labour shortages in key sectors? And to what extent is this due to the loss of automatic rights to recognition, the UK leaving the EU and restrictions and uncertainty around the COVID-19 pandemic and its impacts?

**Mobility/Mode IV specific questions**

1. To what extent do businesses understand the new visa/work permit rules? How have the new visa/work permit arrangements affected businesses?
2. To what extent do businesses understand the restrictions on short term business visits activities to the EU and EEA-EFTA countries?
3. To what extent do businesses currently move staff from the UK to EU/EEA-EFTA for business purposes and for what reasons? What are the key countries in the EU/EEA-EFTA where businesses send staff?
4. To what extent do businesses currently move staff from the EU/EEA-EFTA to the UK for business purposes and for what reasons? What are the key countries in the EU/EEA-EFTA from which where businesses receive staff?