

---

STATUTORY INSTRUMENTS

---

**2019 No. 108**

**The Customs (Export) (EU Exit) Regulations 2019**

**PART 4**

Export declarations etc

CHAPTER 3

Eligibility of persons to make export declarations

**Eligibility of persons to make export declarations**

**12.**—(1) A person may make an export declaration in respect of goods if the requirements in paragraph (2) are met by that person.

(2) The requirements are—

(a) that the person is able to—

(i) make the goods available for examination, or

(ii) secure that the goods are made available for examination; and

(b) that, except where regulation 13 applies, the person is established in the United Kingdom.

**Modifications etc. (not altering text)**

**C1** Reg. 12(2)(b) modified (31.12.2020) by The Customs (Crown Dependencies Customs Union) (EU Exit) Regulations 2019 (S.I. 2019/385), regs. 1(2), **6(3)** (with reg. 2); S.I. 2020/1643, reg. 2, Sch.

**Commencement Information**

**I1** Reg. 12 not in force at made date, see reg. 1(5)

**I2** Reg. 12 in force at 31.12.2020 by S.I. 2020/1643, reg. 2, Sch.

**Exceptions to the UK establishment requirement**

**13.** The requirement that a person is established in the United Kingdom does not apply to any of the following—

(a) a person who makes an export declaration in respect of goods which are subject to a special Customs procedure <sup>M1</sup> other than a storage procedure;

(b) a person who makes an export declaration as described in Sections 2 to 3 of Chapter 4 or regulation 25 (export declarations made in paper form: qualifying departing travellers);

(c) a Customs agent <sup>M2</sup> acting in that capacity.

---

**Changes to legislation:** There are currently no known outstanding effects for the The Customs  
(Export) (EU Exit) Regulations 2019, CHAPTER 3. (See end of Document for details)

---

---

**Commencement Information**

- I3** Reg. 13 not in force at made date, see [reg. 1\(5\)](#)  
**I4** [Reg. 13](#) in force at 31.12.2020 by [S.I. 2020/1643](#), [reg. 2](#), [Sch.](#)
- 

**Marginal Citations**

- M1** “Special Customs procedure” is defined in section 3(4) of the Act.  
**M2** See Part 7 for requirements of establishment in respect of Customs agents.

**Changes to legislation:**

There are currently no known outstanding effects for the The Customs (Export) (EU Exit) Regulations 2019, CHAPTER 3.