

---

STATUTORY INSTRUMENTS

---

**2021 No. 1156**

**The Free Zones (Customs, Excise and Value Added Tax) Regulations 2021**

**PART 2**

**CUSTOMS**

**Amendment of the Customs Transit Procedures (EU Exit) Regulations 2018**

**4.—**(1) Schedule 1 (the Common Transit Procedure) to the Customs Transit Procedures (EU Exit) Regulations 2018<sup>(1)</sup> is amended as follows.

(2) After paragraph 1(9)(b) (common transit procedure: preliminary)<sup>(2)</sup> insert—

- “(c) a “free zone” are to an area in the United Kingdom designated as a special area for customs purposes under section 100A of the Customs and Excise Management Act 1979;
- (d) a “free zone business” are to a person authorised to carry out an activity described in regulation 3(2)(b)(v) or (c) of the Customs (Special Procedures and Outward Processing) (EU Exit) Regulations 2018;
- (e) a declaration of goods for a “free zone procedure” are to a declaration of goods for a storage procedure in a case where the goods are to be kept in a free zone.”

(3) In paragraphs 14 and 39 (consequences of common transit procedure discharge)—

- (a) in sub-paragraph (3) for “A declaration” substitute “Except where sub-paragraph (4) applies, a declaration”;
- (b) after sub-paragraph (3) insert—

“(4) This sub-paragraph applies where, immediately before the procedure is discharged—

- (a) the chargeable goods that are subject to it—
  - (i) are in a free zone; and
  - (ii) have been received in the free zone by or on behalf of a free zone business;
- (b) that free zone business is authorised to declare goods for a free zone procedure;
- (c) that free zone business or a person acting with their authority has—
  - (i) made an entry into that business’s commercial records containing the particulars specified in a notice published by HMRC; and
  - (ii) notified a responsible authority for that free zone that the goods have been received;

---

(1) [S.I. 2018/1258](#). Relevant amending instrument is [S.I. 2019/486](#). Regulation 2(2) is inserted by regulation 2(2)(c) of these regulations

(2) Paragraph 9 was inserted by [S.I. 2019/486](#).

- (d) the case is not one set out in version 1 of the document dated 14 October entitled “Cases where goods cannot be declared by conduct or are not treated as declared for a free zone procedure on discharge of a transit procedure in a free zone” ;
  - (e) if a notification that goods are to be kept in a free zone was required under regulation 18D(1) of the Customs (Special Procedures and Outward Processing) (EU Exit) Regulations 2018, that notification has been given to HMRC; and
  - (f) the goods have not been declared for another customs procedure.
- (5) A notification under sub-paragraph (4)(c)(ii) must—
- (a) contain the matters; and
  - (b) be made in the form and manner,
- specified in a notice published by HMRC.
- (6) Where sub-paragraph (4) applies, the goods are treated on the discharge of the procedure as if they have been declared for a free zone procedure, and acceptance of the Customs declaration is treated as having occurred immediately.
- (7) HMRC must publish a notice specifying—
- (a) the particulars referred to in sub-paragraph (4)(c)(i); and
  - (b) the matters referred to in sub-paragraph (5).”.