

E-commerce



E-commerce cuts across many areas of trading standards, and considerations from many of these other portfolios have an e-commerce angle. The UK's departure from the EU means changes to the legislation and protections that UK consumers have enjoyed when buying goods and services online.

THE SITUATION IN 2021

The 1,276-page Trade and Cooperation Agreement (TCA) signed in December 2020 will take some time to analyse and assess – and the precise meaning and impact of various parts of it will only become apparent in time, through the ongoing actions of EU and UK players.

What has changed?

- » There are generally no tariffs or quotas on goods. However, the tariff-free rules only apply to goods that meet 'country of origin' requirements, so tariffs may still be payable on import/export of larger consignments of goods, for example those sourced from China.
- » Breaches of the TCA could lead to tariffs in some circumstances.
- » There are extra costs from export and import formalities. In many cases these will increase costs for e-commerce sellers.
- » Other significant non-tariff barriers to trade have sprung up. For example, there is no agreement on conformity assessment and no 'mutual recognition' of standards.

Issues to be resolved

- » Services are not covered in any comprehensive way, despite some very limited provisions. In the absence of a specific agreement, the assumption must be that barriers, restrictions and reductions in business between the EU and the UK are inevitable.
- » The TCA does not include a full data protection and data sharing agreement.
- » The 'level playing field' provisions do not extend specifically to consumer protection. The provisions appear to effectively tie the UK to many EU requirements.



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