

iLaw Lunchtime Webinar Series

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# 2021 – A LEGAL MoT FOR YOUR BUSINESS

28 January 2021  
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**iLaw**

Lawyers for innovators

# THE ROAD AHEAD IN 2021

1. Brexit fallout
2. Covid recovery
3. Environmental and human rights issues
4. Future trends



# BREXIT

1. Commercial contracts
2. Employment
3. Data
4. Intellectual property
5. Disputes



# BREXIT

## 6. Exports

- EORI number needed for GB exports to EU
- Export declarations
- 50,000 new customs agents needed
- proof of origin to benefit from zero tariffs
- veterinary certificates for meat and dairy products



# BREXIT

## 7. Northern Ireland

- NI to GB: no trade barriers
- NI to EU: no trade barriers
- GB to NI: customs checks at ports; EU tariffs on goods at risk of entering EU
- NI effectively remains part of EU single market
- NI part of UK customs union
- Northern Ireland Protocol and Joint Committee

# BREXIT

## 8. Future Milestones

Date	Event
31 March 2021	end of grace period for authorised traders moving agri-foods into NI
June 2021	end of grace period for EU exports to UK
Late 2024 onwards	democratic consent mechanism in NI
2025	review of Trade and Cooperation Agreement
After June 2026	UK regains control of waters; fish quotas subject to annual UK-EU negotiation



# COVID



## 1. Insurance

- Financial Conduct Authority led case against 8 insurers
- SMEs had taken out cover against business interruption
- An estimated 370,000 policyholders have similar wording
- “Disease clauses” – losses resulting from notifiable disease
- “Prevention of access clauses” – losses resulting from public authority intervention

# COVID

## 2. Employees

- Disciplinary and grievance processes
- Carry forward of holiday entitlement
- Mental health counselling through Employee Assistance Programme
- Tax and remote working
- Transition from lockdown



# COVID

## 3. Corporate transactions

- M&A: deferred consideration; exit planning; funding
- CVAs
- Restructuring and reorganisation
- Self-employed and start-ups

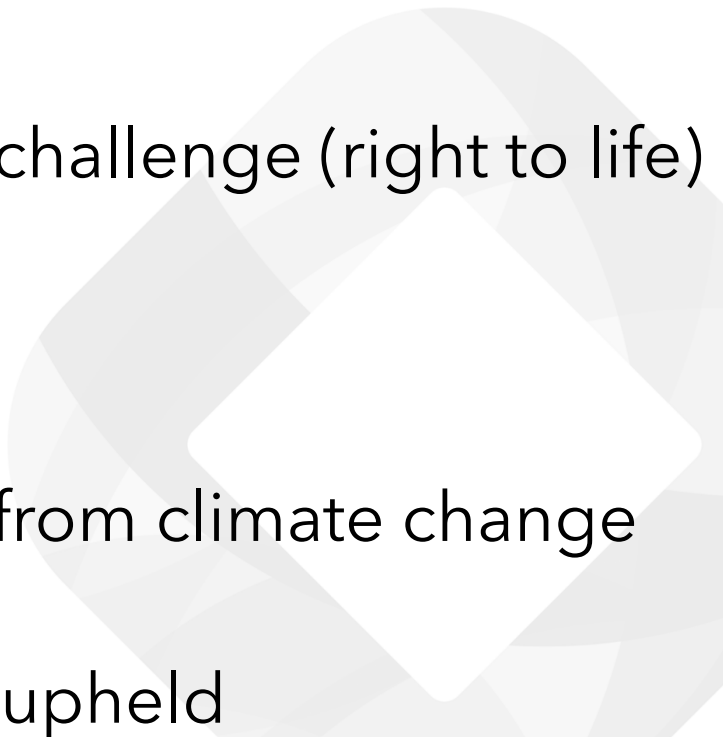


# ENVIRONMENTAL, SOCIAL & HUMAN RIGHTS/CSR

- Net zero by 2050; 68% carbon emissions cut by 2030
- Ban on new petrol and diesel vehicles from 2030
- COP 26 Glasgow November 2021
- Trade agreements (genocide debate)

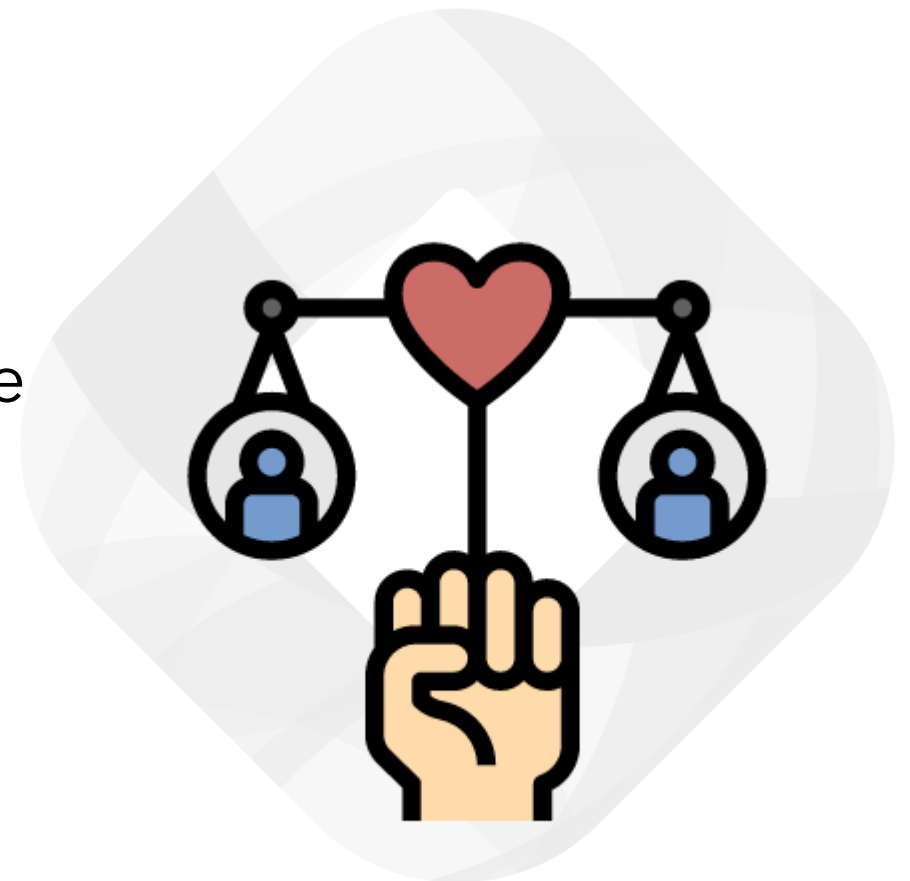


# ENVIRONMENTAL, SOCIAL & HUMAN RIGHTS/CSR

- Supreme Court's ruling on Heathrow third terminal
  - Possible European Court of Human Rights challenge (right to life)
  - Challenge to UK £27bn roads programme
  - Netherlands: legal duty to protect citizens from climate change
  - But Norway: Arctic oil exploration licences upheld
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# ENVIRONMENTAL, SOCIAL & HUMAN RIGHTS/CSR

- Modern slavery and trafficking (Biffa case)
- Domestic Abuse bill
- Monitoring employees working from home
- Anti-bullying



# FUTURE TRENDS

- Online Harms White Paper
- Personal liability for directors and managers
- Big tech: UK CMA blocked Viagogo takeover of StubHub
- US govt v Facebook
- Australian govt v Google

# FUTURE TRENDS

- AI Council report January 2021
- National AI Strategy
- 10-year programme to boost skills
- Building public trust in automated decision-making



# FUTURE TRENDS

- RAS 2020 (robotics and autonomous systems)
- AI intersects with physical robotics
- Self-driving vehicles, logistics robots, agricultural robots
- “Made Smarter” £20m pilot to help manufacturing SMEs exploit digital technologies
- Drones: CAA Innovation Gateway launched in 2019



# THANK YOU

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