

# **The Association of British Orchestras – Written evidence FUU0012**

## **1. Executive Summary**

- The UK's orchestras are much in demand across the globe. They generated £14.4 million of earned income from foreign touring in 2019, of which £8.4 million came from touring in the EU (12% of total earned income that year). Any reduction in that income will damage their already fragile business model, in addition to harming their international reputation.
- Unlike orchestras in continental Europe, which receive far higher levels of public subsidy to enable them to tour abroad, the UK's orchestras are totally dependent on commercial income. Additional costs associated with customs controls will make them less competitive and reduce their attractiveness to European promoters.
- The UK's exit from the EU means that British orchestras will now have to navigate customs controls on the temporary import/export of goods such as musical instruments, including ATA Carnets and CITES Musical Instrument Certificates.
- EU regulations exempt 'portable musical instruments' carried by professional musicians from the need for ATA Carnets. We need assurance that the equivalent UK regulations provide an identical exemption. This will simplify customs procedures for professional musicians.

## **2. Introduction**

- 2.1 The Association of British Orchestras (ABO) is the representative body for professional orchestras in the UK. Its 65 full members range from the major symphony orchestras to chamber, opera and ballet orchestras. The ABO's mission is to enable and support an innovative, collaborative and sustainable orchestral sector. It exists to provide advice, support, intelligence and information to the people who make British orchestras a global success.
- 2.2 The ABO is pleased to submit evidence to this inquiry as a long-standing stakeholder in the full range of issues impacting on the arts and culture. Our evidence is submitted, as a representative body, on behalf of the entire orchestral sector.

## **3. The UK's orchestras – a international success story**

- 3.1 The UK's creative industries are the envy of the world, and our orchestras are key to this. Each year, they play to over 4 million people in over 3500

concerts and performances in the UK and give over 400 concerts in 40 countries across the world. This means our members bring in a sizeable return on their public investment, and provide a vital inward investment and public relations role for the UK.

- 3.2 British orchestras generated £14.4 million of earned income from foreign touring in 2019, of which £8.4 million came from touring in the EU (12% of total earned income that year).

#### **4. The impact of Brexit on the orchestral business model**

- 4.1 This success is now under threat as a result of the UK's exit from the EU. With venues shut down both in the UK and abroad, our members' earned income from concerts, tours, recordings and commercial activity has plunged to zero.
- 4.2 Unlike orchestras in European countries, which receive upwards of 80% of their income from public funding, the average for British orchestras is just 30%, meaning they are far more reliant on earned income to survive. Many ABO members receive no public subsidy at all, meaning they are almost totally reliant on the money they earn from concerts in the UK and abroad.

#### **5. Customs controls and their impact on British orchestras**

- 5.1 The ABO has ascertained from the European Commission that 'portable musical instruments' for professional purposes are exempt from customs declarations on entering the EU, and therefore do not need an ATA Carnet. We believe that the UK has applied the same exemption in the [Customs \(Import Duty\) \(EU Exit\) Regulations 2018](#) (clauses 20, 24 and 27) and HMRC's [List of Goods Applicable to Oral and By Conduct Declarations](#). We urgently need clarification from HMRC that our interpretation is correct, and that professional musicians will not need carnets for entering and exiting the UK, to enable us and our colleagues in the music industry to provide reassurance for musicians.
- 5.2 This exemption, however, would only apply to individual musicians carrying their instrument. Transportation of musical instruments by truck or cargo will require carnets and be subject to 'wet stamping' on both sides of the border to enable temporary import/export of the instruments and other goods. This will add to the cost and bureaucracy of tours.
- 5.3 The ABO has been asking HMRC for many months whether carnets will be required between Great Britain and Northern Ireland, as the Northern Ireland Protocol makes no mention of temporary import/export. HMRC has confirmed that portable musical instruments will be exempt from carnets, but not shipments. This adds to the concern that movement of

goods between Great Britain and Northern Ireland is at a disadvantage compared to the movement of goods within the rest of the UK.

- 5.4 CITES Musical Instrument Certificates are required for instruments containing listed species such as ivory. These need to be stamped on both sides of the border, not only between the UK and the EU, but also between Great Britain and Northern Ireland. This will require orchestras and musicians to use designated ports of entry and exit, limiting their options. As an example, Eurostar is not a designated port. This means musicians will not be able to use the 'green' travel option for accessing the continent, but will instead need to fly into an airport to have their Musical Instrument Certificates stamped.
- 5.5 The requirements for carnets and CITES Musical Instrument Certificates will add to the time taken to cross the border, added to which will be risk of being caught up in delays at the border caused by all the other vehicles needing customs inspections. All of which means that orchestras are having to plan for additional days on either side of the tour to accommodate delays and additional bureaucracy, denting the financial viability of the tour.

## **6. Conclusion**

- 6.1 Orchestras need clarity on temporary import/export procedures to enable them to enter into contracts with European promoters.
- 6.2 Our asks to the UK Government are to:
- **Provide additional financial support to orchestras, to cover the additional costs of customs procedures eg. ATA Carnets.**
  - **Clarify that portable musical instruments are exempt from customs declarations.**
  - **Support the proposal to be presented at the next CITES COP for musical instruments containing small quantities of listed species to be exempt from CITES controls.**