

EXPORT LICENCE

Open General Export Licence (Turkey) dated 28 September 2000 granted by the Secretary of State.

The Secretary of State, in exercise of powers conferred by Articles 6(2) and (4) of Council Regulation (EC) No. 1334/2000 ("the Regulation")^(a) and Regulation 3 of the Dual-Use Items (Export Control) Regulations 2000 ("the UK Regulations")^(b), hereby grants the following Open General Export Licence:

Community Licence

1. This is general export authorisation under the terms of Article 6(2) of Council Regulation (EC) No. 1334/2000. This authorisation, in accordance with Article 6(2) of that Regulation, is valid in all Member States of the European Community and is a Community Licence for the purposes of the UK Regulations.
2. Subject to the following provisions of this Licence, any items specified in the Schedule hereto, may be exported from the United Kingdom, or from any other Member State by any person established in the United Kingdom, to any destination in Turkey.

Exclusions

3. This Licence does not authorise the export of items:
 - (1) if the exporter has been informed by a competent authority of the Member State where he is established that they are or may be intended, in their entirety or in part

(a) O.J. No. L159 30.6.00 p.1.

(b) S.I. 2000/2620

- (a) for use in connection with the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons, or other nuclear explosive devices or the development, production, maintenance or storage of missiles capable of delivering such weapons,
 - (b) for a military end use and the purchasing country or country of destination is subject to an arms embargo decided by a Common Position or Joint Action adopted by the Council of the European Union or a decision of the OSCE or imposed by a binding resolution of the Security Council of the United Nations, or
 - (c) for use as parts or components of military items listed in the national military list that have been exported from the territory of the Member State concerned without authorisation or in violation of an authorisation prescribed by national legislation of that Member State;
- (2) if the exporter is aware that the items in question are intended, in their entirety or in part, for any of the uses referred to in sub-paragraph (1);
 - (3) if the exporter has grounds for suspecting that the items in question are or may be intended, in their entirety or in part, for any of the uses referred to in sub-paragraph (1)(a), unless the exporter has made all reasonable enquiries as to their proposed use and is satisfied that the items will not be so used;
 - (4) to a destination within a Customs Free Zone; or
 - (5) if their export is controlled by virtue of any entry in Annex I to the Regulation not specified in Schedule 1; or

- (6) if the goods in question fall within Group 2 of Part 1 of Schedule 1 to the Export of Goods (Control) Order 1992^(c) (antiques).

Conditions and Requirements

4. The authorisation in paragraph 1 is subject to the following conditions:
- (1) except in the case of an export of technology by telephone, fax or other electronic media, official and commercial export documentation accompanying the items shall include a note stating that "These items are being exported under the Open General Export Licence (Turkey)" and shall be presented to an officer of HM Customs and Excise if so requested;

Prohibitions not affected by this Licence

5. Nothing in this Licence affect any prohibition or restriction on the export of any items other than under the Regulation, and this licence does not confer any licence or permission under, or for the purposes of, any enactment other than the Regulation and the UK Regulations.

Interpretation

6. For the purpose of this Licence:
- (a) "Customs Free Zone" means a part of the territory of a country where any goods introduced are generally regarded, insofar as import duties and taxes are concerned, as being outside the customs territory of that country, and are not subject to the customs controls that would otherwise apply;

(c) S.I. 1992/3092

- (b) "entry" includes part of an entry;
- (c) unless the context otherwise requires, any other expression used in this Licence has the same meaning as in the Regulation or the UK Regulations as appropriate.

Entry into Force

- 7. This Licence comes into force on 28 September 2000.
- 8. The Open General Export Licence (Turkey) dated 16 April 1999 is revoked.

***An Official of the Department of
Trade and Industry authorised to act on
behalf of the Secretary of State***

SCHEDULE

ITEMS CONCERNED

Items specified in any of the following entries in Annex I to Council Regulation (EC) No. 1334/2000:

1A003

1C003

1C004

1C005

1C006

1C008

1C009

2A001

2B003

2B005

3A001 sub-heads a.3. to a.12., heads b., c. and d., sub-head e.1. and head f.

3A002 heads a. to f.

3B001

3B002

3C001

3C002

3C003

3C004

3D002

3D003

4A004

4D001

4D002

4D003 heads a., b. and d.

5A001

5B001

5D001

6A004

6A006

6B004

6C004

8A001

8A002 other than heads o.3 and p.

8B001

8C001

8D001

9A002

9B001

9B002

9B003

9B004

9B005

9B008

9B009

9D002

9D003

9D004

EXPLANATORY NOTE

(This note is not part of the licence)

This Open General Export Licence has been granted following the coming into force of a new Council Regulation. A number of changes have been made from the previous licence including:

- updating references to the new EC Regulation and the UK Regulations;
- removal of entry 8D002 from the list of items in the Schedule; and
- revised format.

2. This Open General Export Licence permits, without further authority but subject to certain conditions, the export from the United Kingdom, or from any other Member State of the European Community (EC) where the exporter is established in the United Kingdom, to any destination in Turkey of items specified in the Schedule to the Licence.

3. The Dual-Use Items (Export Control) Regulations 2000 contain certain registration and record keeping requirements which apply to persons using this Licence. Under Regulation 10 of those Regulations, any person established in the United Kingdom who exports items from the United Kingdom or another Member State under the authority of this Licence must maintain and retain certain records relating to each such export for at least three years from the end of the calendar year in which the export takes place and must permit such records to be inspected and copied by any person authorised by the Secretary of State. Under Regulation 9(1) of the UK Regulations, an exporter who exports items under the authority of this Licence must, before or within 30 days after the first occasion he makes use of the licence, provide details to the Secretary of State of his name and the address where copies of the records referred to above may be inspected. These detail must be sent to the Export Control Organisation Applicant Services and Compliance Unit, DTI, 4 Abbey Orchard Street, London, SW1P 2HT.

4. If an exporter has already given written notice to the Secretary of State in accordance with Regulation 9(3) of the UK Regulations he is not required to do the same in respect of this Licence.

5. This Licence does not extend to any prohibition under legislation other than Council Regulation (EC) No.1334/2000: in particular it does not extend to prohibitions in other legislation implementing United Nations sanctions.