

EXPORT LICENCE

Open General Export Licence (Export For Exhibition: Military Goods)

dated 26th September 2003 granted by the Secretary of State.

The Secretary of State, in exercise of powers conferred by Articles 3(a) and 7 of the Export of Goods (Control) Order 1994^(a) ("the Order"), hereby grants the following Open General Export Licence:

Licence

1. Subject to the following provisions of this Licence, goods specified in Part A of Schedule 1 hereto other than any goods specified in Part B thereof may be exported from the United Kingdom to a destination in any country except a destination in a country specified in Schedule 2 to this Licence providing they are being exported for the purpose of exhibition, and are to be returned to the United Kingdom.

Exclusions

2. This Licence does not authorise the export of goods:
- (1) if the exporter has been informed by a competent authority that they are or may be intended, in their entirety or in part, to be used 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;
 - (2) if the exporter is aware that the goods are intended, in their entirety or in part, to be used in connection with one of the activities referred to in sub-paragraph (1);

^(a) S.I. 1994/1191; as last amended by S.I. 2003/1938

- (3) if the exporter has grounds for suspecting that the goods are or may be intended, in their entirety or in part, for any uses referred to in sub-paragraph (1), unless the exporter has made all reasonable enquiries as to their proposed use and satisfied himself that the goods will not be so used;
- (4) which fall within the scope of Council Directive 91/477/EEC on Control of the Acquisition and Possession of Weapons^(b);
- (5) which fall within Group 2 of Part I of Schedule 1 to the Export of Goods (Control) Order 1992^(c);
- (6) to a destination within a Customs Free Zone;

Conditions and Requirements

3. The authorisation in paragraph 1 above is subject to the following conditions:
 - (1) the exporter must obtain prior to exporting goods pursuant to this licence written approval from MOD Contracting Authority, MOD Sponsor or D Def Sy (S&T) to exhibit the goods including, where appropriate details of en route support, at a specific exhibition in the country of destination for which the export is intended;
 - (2) on exportation of any goods pursuant to this Licence, the exporter shall produce to an officer of HM Customs and Excise, if so requested, documentary evidence of the written approval to exhibit, and where appropriate details of en route support;
 - (3) official and commercial export documentation accompanying the goods shall include a note stating that "the goods are being exported under the Open General Export Licence (Export For Exhibition: Military Goods)" and shall be presented to an officer of HM Customs and Excise if so requested; and

^(b) O.J No. L256, 13.9.91, p.51

^(c) S.I. 1992/3092

- (4) the requirements of Article 8 of the Order shall apply to any export under this Licence.

Prohibitions not affected by this Licence

4. Nothing in this Licence shall affect any prohibition or restriction on the exportation or carrying out of any other act with respect of the exportation of any goods concerned under, or by virtue of, any enactment other than a prohibition or restriction in the legislation under which this licence was issued, as set out in the licence itself.

Interpretation

5. For the purpose of this Licence:

- (a) "competent authority" means the Secretary of State or any other competent authority empowered by a Member State to issue export authorisations for the purposes of Council Regulation (EC) No. 1334/2000^(a);
- (b) a "Customs Free Zone" is a part of the territory of a country where any goods introduced are generally regarded, in so far 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; and
- (c) "entry" includes part of an entry;
- (d) "exhibition" shall not include demonstration or evaluation;
- (e) "en route support" shall include details of countries where support may be provided and the nature of the support being proposed e.g., refuelling;
- (e) unless the context otherwise requires, any other expression used in this Licence shall have the meaning it bears in the Import, Export and Customs Powers (Defence) Act 1939^(b) or in the Order.

^(a) O.J. No. L159, 30.6.00

^(b) 1939 c.69

Entry into force

6. This Licence shall come into force on 30th September 2003.
7. The Open General Export Licence (Export For Exhibition: Military Goods) dated 24th June 2003 is hereby revoked.

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

SCHEDULE 1

GOODS CONCERNED

PART A

Any goods specified in Part III of Schedule 1 to the Order:

PART B

- (i) Goods falling within entry ML4 as follows:
 - anti-personnel landmines and specially designed components therefor
- (ii) Goods falling within entry PL5001 c. or g.
- (iii) Technology equipment and software specified in entries ML18, ML21 or ML22, related to equipment specified in (i) or (ii) of Part B of this Schedule.

SCHEDULE 2

DESTINATIONS CONCERNED

This export authorisation is valid for exports to the following destinations:

All destinations other than in:

Afghanistan, Algeria, Angola, Argentina, Armenia, Azerbaijan, Bangladesh, Belarus, Benin, Bosnia and Herzegovina, Burkina Faso, Burma (Myanmar), Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, China (People's Republic of)(excluding SARs), Colombia, Congo (Democratic Republic of), Congo (Republic of), Cuba, Cyprus, Djibouti, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Gambia, Georgia, Ghana, Guatemala, Guinea, Guinea Bissau, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Ivory Coast, Kazakhstan, Kenya, Liberia, Libya, Macau SAR, Mali, Mexico, Moldova, Morocco, Namibia, Nepal, Niger, Nigeria, North Korea, Pakistan, Palestinian Authority, Papua New Guinea, Peru, Philippines, Russian Federation, Rwanda, Saudi Arabia, Senegal, Serbia and Montenegro (formally the Federal Republic of Yugoslavia), Sierra Leone, Somalia, Sri Lanka, Sudan, Syria, Taiwan, Tajikistan, Tanzania, Togo, Tunisia, Turkey, Turkmenistan, Uganda, Uzbekistan, Venezuela, Vietnam, Yemen and Zimbabwe.

NOTE:

En route support for the goods being exported under the authority of this licence, including refuelling, may take place in any destinations including those listed above providing the exporter has obtained prior Ministry of Defence written approval to do so.

EXPLANATORY NOTE

(This Note is not part of the Licence)

This licence has been amended following a change to the Ministry of Defence (MOD) clearance and contact details.

2 This Open General Export Licence permits, without further authority but subject to certain conditions, exportation of goods specified in Schedule 1 Part A, excluding goods in Part B of this licence to any destination except a destination in any country specified in Schedule 2 to the Licence if they are being exported for the purpose of exhibition and return to the United Kingdom.

3. It is a condition of this Licence that goods being exported under the terms of this Licence shall have been the subject of written approval by the MOD Contracting Authority, MOD Sponsor or D Def Sy (S&T) to exhibit the goods in the country of destination. Enquiries should be addressed to:

For MOD Sponsored goods:

Principal Security Adviser
Industrial Security Section
Defence Procurement Agency
Facilities Management Group
Poplar - 1
MOD Abbey Wood
Bristol, BS34 8JH
Tel: 0117 913 3677
Fax: 0117 913 0629

For Private Venture Goods and items not having an MOD Sponsor:

D Def Sy (S&T)
Rm 311,
St.Giles Court,

St.Giles High Street,
London, WC2H 8LD.
Tel: 020 7218 4285

4. It is also a requirement of this licence that the exporter shall produce to an officer of HM Customs and Excise, if so requested, documentary evidence of the written approval.

5. The Licence does not extend to the exportation of any goods which fall within the scope of Council Directive 91/477/EEC on the control of the acquisition and possession of weapons or any goods which are antiques for the purposes of the Export of Goods (Control) Order 1992.

6. It is a condition of the licence that, before first use of the licence, the exporter shall tell the Secretary of State of his intention to export under its authority. This notification should be given in writing or by facsimile transmission to:

Export Control Organisation
Compliance Unit
Department of Trade and Industry
4 Abbey Orchard Street
London
SW1P 2HT
Fax: 020 7215 0558

7. This licence does not extend to any prohibition under legislation other than the Export of Goods (Control) Order 1994: in particular it does not extend to prohibitions in other legislation implementing United Nations Sanctions.