

NOTICES FROM MEMBER STATES

INFORMATION NOTE

Council Regulation (EC) No 1334/2000 setting up a Community regime for the control of exports of dual-use items and technology, as last amended by Regulation (EC) No 1183/2007: Information on measures adopted by Member States in conformity with Articles 5, 6, 13 and 21

(2008/C 188/07)

Articles 5, 6, 13 and 21 of Council Regulation (EC) No 1334/2000 foresee that certain Member State measures concerning the implementation of the Regulation should be published in *Official Journal of the European Union*. Previous information note was published in OJ C 270, 29 October 2005, p. 15.

1. INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 5(4) OF THE REGULATION

Article 5(4) of the Regulation requires the Commission to publish measures taken by Member States to prohibit or impose an authorisation requirement on exports of dual-use items which are not listed in the annexes to the Regulation for reasons of public security or human rights.

Only France, Germany, UK and Latvia have adopted such measures. More precisely:

1.1. France

France has adopted national controls on exports of civilian helicopters and tear gas to third countries. The relevant provisions are set out in two notices to exporters (see below):

- notice to exporters of certain helicopters and their spare parts to third countries, published in the French Official Gazette of 18 March 1995,
- notice to exporters on the export of tear gas and riot control agents to third countries, published in the French Official Gazette of 28 June 1995.

A. NOTICE TO EXPORTERS OF CERTAIN HELICOPTERS AND THEIR SPARE PARTS TO THIRD COUNTRIES

(Version published in the French Official Gazette of 18 March 1995)

1. Export to States which are not members of the European Community of any helicopters and spare parts coming under tariff heading 88-03 is subject to an authorisation issued under the arrangements laid down by the Decree of 30 November 1944 defining the conditions for import into France and the overseas territories of foreign goods and the conditions for export or re-export of goods from France or the overseas territories to other countries, and by the Decree of 30 January 1967 on imports of goods into France and exports of goods from France.

Applications for export authorisations on form 02 (Cerfa No 30-0395) must be accompanied by the following documents:

- pro forma invoice in duplicate,
- technical documentation.

They must be sent to the Ministry for the Budget, Directorate-General for Customs and Indirect Taxation (Setice), 8, rue de la Tour-des-Dames, F-75036 Paris Cedex 09.

2. Paragraph 1 does not apply to helicopters and their spare parts whose export without authorisation under any customs procedure is prohibited by Article 13 of the Decree-Law of 18 April 1939 defining the arrangements covering military equipment, arms and munitions. The equipment in question forms part of the air armaments covered by Article 1 of the Decree of 20 November 1995, as amended, listing military equipment and similar equipment subject to a special export procedure and by its implementing provisions.
3. The following are hereby repealed:

The provisions of schedule A of the Notice to exporters on goods which are prohibited from being exported (subject to submission of authorisation 02) of 24 November 1964 on goods known as 'ex 88-03 parts and spare parts of devices covered by headings 88-01 and 88-02, etc.' and the provisions of the Notices amending this Notice in respect of goods covered by tariff heading 88-03.

Notice to exporters on products which are prohibited from being exported of 30 September 1988.

B. NOTICE TO EXPORTERS ON THE EXPORT OF TEAR GAS AND RIOT CONTROL AGENTS TO THIRD COUNTRIES

(Version published in the French Official Gazette of 28 June 1995)

1. Export to States which are not members of the European Community of tear gas, riot control agents and related products, equipment or technology listed in paragraph 2 is subject to an authorisation issued under the arrangements laid down by the Decree of 30 November 1944 defining the conditions for importation into France and the overseas territories of foreign goods and the conditions for export and re-export of goods from France or the overseas territories to other countries, and by the Decree of 30 January 1967 on imports of goods into France and exports of goods from France.

Applications for export authorisations on form 02 must be accompanied by the following documents:

- pro forma invoice in duplicate,
- where appropriate, technical documentation.

They must be sent to the Directorate-General for Customs and Indirect Taxation (Setice), 8, rue de la Tour-des-Dames, F-75036 Paris Cedex 09.

2. The goods covered by this Notice are:
 - (a) 2-chloroacetophenone (CN) (532-27-4);
 - (b) bromobenzene cyanide (CA) (16532-79-9);
 - (c) O-chlorobenzylidenemalononitrile (CS) (2698-41-1);
 - (d) dibenz (b, f)-1,4-oxazepine (CR) (12770-99-9);
 - (e) solutions containing:
 - more than 3 % CN, CS, CA or mixtures thereof, or
 - more than 1 % CR, or
 - other lacrymatory or irritant substances with a neutralising effect in any percentage.

Note:

the amounts indicated are calculated by mass in relation to all constituents of the solution;

- (f) aerosol dispensers containing the solutions referred to in (e) which are designed for riot control;
- (g) production technologies for the substances, solutions and aerosol dispensers referred to above.

3. The following are excluded from this Notice:
- (a) tear gas dispensers designed for personal defence;
 - (b) grenades with an exclusively lacrymatory effect whose export is subject to the provisions of Articles 1 and 2 of Law No 70-575 of 3 July 1970 reforming the rules governing powders and explosives;
 - (c) grenades possessing, in addition to a lacrymatory effect, a special incapacitating or neutralising effect, whose export is subject to the provisions of Article 13 of the Decree-Law of 18 April 1939 defining the rules governing military equipment.

1.2. Germany

The following provisions of the Foreign Trade and Payments Ordinance (*Außenwirtschaftsverordnung*; hereafter: the AWV), adopted on 18 December 1986 (details of the relevant legislation can be accessed at the following Internet address: http://bundesrecht.juris.de/bundesrecht/awv_1986/index.html) are relevant to implementation of Article 5(4) of the Regulation:

- (a) Section 5(2) of the AWV, as regards certain goods that are controlled only on a national basis:
- 2A991 Hydraulic, pneumatic, hydropneumatic, electropneumatic and electrohydraulic components and systems for weapons and armament systems, if the purchasing country or country of destination is Iraq.
 - 2B909 Flow forming machines and machines with combined flow forming and spin-forming functions, other than those controlled by 2B009, 2B109 or 2B209, having all of the following characteristics, and specially designed components therefor:
 - (a) which, according to the manufacturer's technical specification, can be equipped with numerical control units, computer control or play-back control; and
 - (b) a roller force more than 60 kN, if the purchasing country or country of destination is North Korea or Syria.
 - 2B952 Equipment capable of use in handling biological substances, other than that controlled by 2B352, if the purchasing country or country of destination is Iran, North Korea or Syria:
 - (a) fermenters, capable of cultivation of pathogenic 'micro-organisms' or viruses, or capable of toxin production, without the propagation of aerosols and having a total capacity of 10 l or more;
 - (b) agitators for fermenters controlled by 2B952(a).
- Technical note:*
- Fermenters include bioreactors, chemostats and continuous-flow systems.
- 2B993 Equipment for the deposition of metallic overlays for non-electronic substrates as follows, and specially designed components and accessories therefor, if the purchasing country or country of destination is Iran, North Korea or Pakistan:
 - (a) chemical vapour deposition (CVD) production equipment;
 - (b) electron beam physical vapour deposition (EB-PVD) production equipment;
 - (c) production equipment for deposition by means of inductive or resistance heating.
 - 5A901 Transmitters in a form imitating another object or being covered with objects of everyday usage which, due to this circumstance, are capable of listening to other persons' private conversation not intended for the public and unnoticed by them.

5A911 Base stations for digital 'trunked radio' if the purchasing country or country of destination is Sudan.

Technical note:

'Trunked radio' is a cellular radio communications procedure with mobile subscribers who are assigned frequency trunks for communication. Digital 'trunked radio' (e.g. TETRA, Terrestrial Trunked Radio) uses digital modulation.

5D911 'Software' specially designed or modified for the 'use' of equipment, which is controlled by item 5A911, if the purchasing country or country of destination is Sudan.

6A908 Radar-based navigation or surveillance systems for vessel or airborne traffic control, not controlled by items 6A008 or 6A108, and specially designed components therefor, if the purchasing country or country of destination is Iran.

6D908 'Software', specially developed or modified for the 'development', 'production' or 'use' of the equipment controlled by 6A908, if the purchasing country or country of destination is Iran.

9A991 Ground vehicles not covered by Part I A, as follows:

- (a) flatbed trailers and semitrailers with a payload exceeding 25 000 kg and less than 70 000 kg, or having one or more military features and being capable of transporting vehicles controlled by 006 in Part I A as well as traction vehicles capable of their transportation and having one or more military features if the purchasing country or country of destination is Afghanistan, Angola, Cuba, India, Iran, Iraq, Lebanon, Libya, Mozambique, Myanmar, North Korea, Pakistan, Somalia or Syria.

Note:

Traction vehicles within the meaning of 9A991a comprise all vehicles with primary traction function;

- (b) other trucks and off-road vehicles having one or more military features, if the purchasing country or country of destination is Afghanistan, Angola, Cuba, Iran, Iraq, Lebanon, Libya, Mozambique, Myanmar, North Korea, Somalia or Syria.

Note 1:

Military features as defined by 9A991 include:

- (a) fording capability of 1,2 m or more;
- (b) mountings for guns and weapons;
- (c) mountings for camouflage netting;
- (d) roof lights, round with sliding or swinging cover;
- (e) military enamelling,
- (f) Hook coupling for trailers in with so-called NATO-socket.

Note 2:

9A991 does not control ground vehicles when accompanying their users for their own personal use.

9A992 All-wheel-drive trucks with a payload exceeding 1 000 kg, if the purchasing country or country of destination is North Korea.

9A993 Helicopters, helicopter power transfer systems, gas turbine engines and auxiliary power units (APUs) for use in helicopters, and specially designed components therefor, if the purchasing country or country of destination is Afghanistan, Angola, Cuba, Iran, Iraq, Lebanon, Libya, Mozambique, Myanmar, North Korea, Somalia or Syria.

9A994 Air-cooled power units (aero-engines) with a cubic capacity of 100 cm³ or more and 600 cm³ or less, capable for use in unmanned 'air vehicles', and specially designed components therefor, if the purchasing country or country of destination is Iran or Iraq.

9E991 'Technology' according to the General Technology Note for the 'development' or 'production' of equipment controlled by 9A993, if the purchasing country or country of destination is Afghanistan, Angola, Cuba, Iran, Iraq, Lebanon, Libya, Mozambique, Myanmar, North Korea, Somalia or Syria.

(b) Section 5(c) of the Foreign Trade and Payments Ordinance (AWV)

Section 5(c) AWV

Restrictions under Section 7, paragraph 1, of the Foreign Trade and Payments Act (AWG)

1. The export of goods not specified in the Export Control List (Annex AL) shall require a licence if the exporter has been informed by the Federal Office of Economics and Export Control (BAFA) that these goods are or may be intended, in their entirety or in part, for a military end-use and the purchasing country or country of destination is contained in the Country List K. Military end-use shall mean:

1. incorporation into goods specified in Part I, Section A of the Export Control List (AL);
2. use of production-, test- or analytical equipment and components therefor, for the development, production or maintenance of goods specified in Part I, Section A of the Export Control List (Annex AL); or
3. use of any unfinished products in a plant for the production of goods specified in Part I, Section A of the Export Control List (Annex AL).

2. If an exporter is aware that the goods to be exported are not mentioned in the Export Control List (Annex AL), but are intended for a military end use within the meaning of paragraph 1 above and the purchasing country or country of destination is a country of Country List K, he must notify the Federal Office of Economics and Export Control (BAFA), which will decide whether the export is subject to licensing or not. The goods may only be exported if the Federal Office of Economics and Export Control (BAFA) approved the export or decided that a licence is not required.

3. Paragraphs 1 and 2 above shall not apply within the scope of Article 4 of Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual-use items and technology (OJ L 159, 30.6.2000, p. 1) as amended.

4. Paragraphs 1 and 2 shall not apply if, according to the contract on which the export is based, the value of the goods to be supplied does not exceed EUR 2 500. Sentence 1 does not apply to data-processing programmes (software) and technology.

(Country List K as modified by the 80th Regulation amending the Foreign Trade and Payments Ordinance (AWV) of 16 August 2007) contains the following countries: Cuba and Syria)

(c) Section 5(d) of the Foreign Trade and Payments Ordinance (AWV)

Section 5(d) AWV

Restriction under Section 7, paragraph 1, of the Foreign Trade and Payments Act (AWG)

1. The export of goods not specified in the Export Control List (Annex AL) shall require a licence if the exporter has been informed by the Federal Office of Economics and Export Control (BAFA) that the goods are or may be intended, in their entirety or part, for the setting-up, operation, or incorporation into a plant for nuclear purposes within the meaning of Category O of Part I, Section C of the Export Control List (Annex AL) and if the purchasing country or country of destination is Algeria, India, Iraq, Iran, Israel, Jordan, Libya, North Korea, Pakistan or Syria.

2. If an exporter is aware that the goods to be exported are not mentioned in the Export Control List (Annex AL), but are intended for a purpose referred to in paragraph 1, and the purchasing country or country of destination is Algeria, India, Iraq, Iran, Israel, Jordan, Libya, North Korea, Pakistan or Syria he must notify the Federal Office of Economics and Export Control (BAFA) which decides whether or not the export requires a licence. The goods may only be exported if the Federal Office of Economics and Export Control (BAFA) approved the export or decided that a licence is not required.
 3. Paragraphs 1 and 2 shall not apply to the purview of Article 4 of Regulation (EC) No 1334/2000.
 4. Paragraphs 1 and 2 shall not apply if, according to the contract on which the export is based, the value of the goods to be supplied does not exceed EUR 2 500. Sentence 1 does not apply to data-processing programmes (software) and technology.
- (d) Section 2(2) of the Foreign Trade and Payments Act (*Aussenwirtschaftsgesetz*)

Section 2 AWG

Nature and scope of restrictions and obligations to act

2. The Federal Ministry of Economics and Technology, in agreement with the Federal Foreign Office and the Federal Ministry of Finance, may decree the necessary restrictions on legal transactions or acts, in order to avert a possible danger, which may arise in certain cases, for the legally protected rights referred to in Section 7, paragraph 1, of this Act. In case of measures related to the trade in capital assets, payment transactions or the trade in foreign valuables and gold, agreement with the German Federal Bank shall be made. The decree shall expire six months after its enactment, unless the restriction is laid down through statutory order.

1.3. United Kingdom

Details of goods controlled at national level pursuant to Article 5 of the Regulation are listed in Schedule 1, Part II and Schedule 2 of the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 (S.I. 2003/2764), as amended by S.I. 2006/1331; S.I. 2006/1696; and S.I. 2007/1863.

Schedule 1, Part II

of the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 (S.I. 2003/2764), as amended by S.I. 2006/1331 and S.I.2007/1863

PL8001 — Explosive-related goods and technology

Explosive-related 'goods' and 'technology', as follows:

- (a) equipment and devices, other than those in Part I of this Schedule or in 1A005, 3A229 or 3A232 in Annex I to 'the Regulation' for detection of or 'use' with 'explosives' or for dealing with or protecting against 'improvised explosive devices', as follows, and specially designed components therefor:

1. Electronic equipment designed to detect 'explosives' or 'explosive signatures'.

Note:

PL8001(a)(1) does not control equipment requiring operator judgement to establish the presence of 'explosives' or 'explosive signatures';

2. electronic jamming equipment specially designed to prevent the detonation by radio remote control of 'improvised explosive devices';
3. equipment and devices specially designed to initiate explosions by electrical or non-electrical means, (e.g. firing sets, detonators, and igniters).

Note:

PL8001(a)(3) does not control:

- (a) equipment and devices specially designed for a specific commercial use consisting of the actuation or operation by explosive means of other equipment or devices the function of which is not the initiation or creation of explosions;
 - (b) pressure controlled equipment specially designed for down-hole oilfield equipment applications and which are incapable of use at atmospheric pressure; and
 - (c) detonating cord;
4. equipment and devices, including, but not limited to: shields and helmets, specially designed for the disposal of 'improvised explosive devices'.

Note:

PL8001(a)(4) does not control bomb blankets, 'mechanical-handling equipment for manoeuvring or exposing improvised explosive devices', and containers designed for holding 'improvised explosive devices' or objects suspected of being such devices or other equipment specially designed to temporarily protect against 'improvised explosive devices' or objects suspected of being such devices;

- (b) linear cutting explosive charges;
- (c) 'technology' 'required' for the 'use' of 'goods' in this Part of this Schedule.

Schedule 2

of the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 (S.I. 2003/2764), as amended by S.I.2006/1331; S.I. 2006/1696; and S.I. 2007/1863

Articles 4 and 7

PROHIBITED DUAL-USE GOODS, SOFTWARE AND TECHNOLOGY

Note:

In this Schedule, defined terms are printed in quotation marks.

General Technology Note

1. Subject to paragraph 2 below, the export or transfer of 'technology' in this Schedule is prohibited by articles 4 and 7 of this Order if it is 'required' for the 'development', 'production' or 'use' of 'goods' or 'software' in this Schedule, whether or not the 'technology' being exported or transferred in the particular case is intended to be applied in respect of such 'goods' or 'software'.
2. The prohibitions in articles 4 and 7 do not apply to that 'technology' which is the minimum necessary for the installation, operation, maintenance (checking) and repair of 'goods' or 'software' not in this Schedule, to 'technology' 'in the public domain', to 'basic scientific research' or to the minimum necessary for patent applications.

Definitions

In this Schedule:

- 'development' means all stages prior to 'production'(e.g. design, design research, design analyses, design concepts, assembly and testing of prototypes, pilot production schemes, design data, process of transforming design data into 'goods', configuration design, integration design, layouts),

- ‘energetic materials’ means substances or mixtures that react chemically to release energy required for their intended application; ‘explosives’, ‘pyrotechnics’ and ‘propellants’ are subclasses of energetic materials,
- ‘explosives’ means solid, liquid or gaseous substances or mixtures of substances which, in their application as primary, booster, or main charges in warheads, demolition and other applications, are required to detonate,
- ‘lighter-than-air vehicles’ means balloons and airships that rely on hot air or on lighter-than-air gases such as helium or hydrogen for their lift,
- ‘previously separated’ means the application of any process intended to increase the concentration of the controlled isotope,
- ‘production’ means all production stages (e.g. product engineering, manufacture, integration, assembly (mounting), inspection, testing, quality assurance),
- ‘propellants’ means substances or mixtures that react chemically to produce large volumes of hot gases at controlled rates to perform mechanical work,
- ‘pyrotechnic(s)’ means mixtures of solid or liquid fuels and oxidisers which, when ignited, undergo an energetic chemical reaction at a controlled rate intended to produce specific time delays, or quantities of heat, noise, smoke, visible light or infrared radiation; pyrophorics are a subclass of pyrotechnics, which contain no oxidisers but ignite spontaneously on contact with air,
- ‘required’ as applied to ‘technology’, refers only to that portion of ‘technology’ which is peculiarly responsible for achieving or exceeding the controlled performance levels, characteristics or functions. Such ‘required’ ‘technology’ may be shared by different ‘goods’,
- ‘technology’ means specific ‘information’ necessary for the ‘development’, ‘production’ or ‘use’ of ‘goods’ or ‘software’.

Technical Note:

‘Information’ may take forms including, but not limited to: blueprints, plans, diagrams, models, formulae, tables, ‘source code’, engineering designs and specifications, manuals and instructions written or recorded on other media or devices (e.g. disk, tape, read-only memories).

‘Source code’ (or source language) is a convenient expression of one or more processes which may be turned by a programming system into equipment executable form.

- ‘use’ means operation, installation (e.g. on-site installation), maintenance, checking, repair, overhaul and refurbishing,
- ‘vaccines’ are medicinal products in a pharmaceutical formulation licensed by, or having marketing or clinical trial authorisation from, the regulatory authorities of either the country of manufacture or of use, which is intended to stimulate a protective immunological response in humans or animals in order to prevent disease in those to whom or to which it is administered.

MATERIALS, CHEMICALS, MICRO-ORGANISMS AND TOXINS

PL9002

The export of the following ‘goods’ is prohibited to any destination:

‘Energetic materials’, as follows, and mixtures containing one or more thereof:

- (a) nitrocellulose (containing more than 12,5 % nitrogen);
- (b) nitroglycol;
- (c) pentaerythritol tetranitrate (PETN);
- (d) picryl chloride;
- (e) trinitrophenylmethylnitramine (tetryl);
- (f) 2,4,6-trinitrotoluene (TNT).

Note:

PL9002 does not control single, double and triple base 'propellants'.

PL9003

The export of the following 'goods' is prohibited to any destination:

'Vaccines' for protection against:

- (a) *Bacillus anthracis*;
- (b) botulinum toxin.

PL9004

The export of the following 'goods' is prohibited to any destination:

'Previously separated' americium-241, -242m or -243 in any form.

Note:

PL9004 does not control 'goods' with an americium content of 10 grams or less.

TELECOMMUNICATIONS AND RELATED TECHNOLOGY

PL9005

The export or 'transfer' of the following 'goods' or 'technology' is prohibited to any destination in Iran:

- (a) tropospheric scatter communication equipment using analogue or digital modulation techniques and specially designed components therefor;
- (b) 'technology' according to the General Technology Note for the 'development', 'production' or 'use' of 'goods' in PL9005(a).

VESSELS AND RELATED SOFTWARE AND TECHNOLOGY

PL9008

The export or 'transfer' of the following 'goods', 'software' or 'technology', is prohibited to any destination in Iran:

- (a) 'vessels' and inflatable craft and related equipment and components, as follows, other than those in ML9 of Part I of Schedule 1 to this Order or Annex I to 'the Regulation':
 - 1. marine 'vessels' (surface or underwater) and inflatable craft;
 - 2. equipment and components designed for 'vessels' or inflatable craft in PL9008(a)(1) as follows:
 - (a) hull and keel structures and components;
 - (b) propulsive engines designed or modified for marine use and specially designed components therefor;
 - (c) marine radar, sonar and speed log equipment, and specially designed components therefor;
- (b) 'software' designed for the 'development', 'production' or 'use' of 'goods' in PL9008(a);
- (c) 'technology' according to the General Technology Note for the 'development', 'production' or 'use' of 'goods' or 'software' in PL9008(a) or PL9008(b).

AIRCRAFT AND RELATED TECHNOLOGY

PL9009

The export or 'transfer' of the following 'goods' or 'technology' is prohibited to any destination in Iran:

- (a) 'aircraft' and related equipment and components, as follows, other than those in ML10 of Part I of Schedule 1 to this Order or Annex I to 'the Regulation':
1. 'aircraft' 'lighter-than-air vehicles' and steerable parachutes;
 2. equipment and components designed for 'aircraft' and lighter-than-air vehicles as follows:
 - (a) airframe structures and components;
 - (b) aero-engines and specially designed components therefor;
 - (c) avionics and navigation equipment and specially designed components therefor;
 - (d) landing gear and specially designed components therefor, and aircraft tyres;
- (b) deleted;
- (c) 'technology' according to the General Technology Note for the 'development', 'production' or 'use' of 'goods' in PL9009(a).

Note:

PL9009(c) does not control technical data, drawings or documentation for maintenance activities directly associated with calibration, removal or replacement of damaged or unserviceable 'goods' that are necessary for the continuing airworthiness and safe operation of civil 'aircraft'.

1.4. Latvia

Regulation of the Cabinet of Ministers No 645, 25 September 2007 'Regulation on the National List of Strategic Goods and Services' (issued in accordance with the 'Law on the Handling of Strategic Goods', Article 3, Part One)

1. The Regulation establishes the National List of Strategic Goods and Services (Annex).
2. The export, import, transit or transfer of goods listed in the National List of Strategic Goods and Services requires a licence issued by the Control Committee for Strategic Goods.

Annex to Regulation No 645

National list of strategic goods and services ⁽¹⁾

| Part No | Name of goods |
|------------------------|---|
| 10A901 | Rimfire weapons, their parts, accessories and ammunition |
| 10A902 | Components, parts and equipment of aircraft <i>Note:</i> See also 'EU Common Military List' |
| <i>Note:</i> | 10A902 includes export, transit and transfer between EU Member States of civil aircraft |
| Exception | 10A902 excludes parts of civil 'aircraft on the ground' (for repairs of aircraft in the territory of airfields) |
| 10A903 | Pyrotechnical devices of classes 2, 3 and 4 |
| <i>Technical note:</i> | The class of the pyrotechnical device shall be determined by the Department of Criminology of the State Police |

(¹) This is an extract from national law which includes both military and dual-use items.

| Part No | Name of goods |
|------------------------|--|
| 10A905 | <p>Tools, equipment and components designed or modified for special clandestine operations:</p> <p><i>Note:</i> See also Category 5, Part Two 'Information Security'</p> <hr/> <p>(a) devices and equipment for clandestine obtaining of audio information:</p> <hr/> <p>1. special microphones; 2. special transmitters; 3. special receivers; 4. special coders; 5. special decoders; 6. wide frequency range receivers (frequency scanners); 7. special re-transmitters; 8. special amplifiers; and 9. special reflected 'laser' beam listening devices;</p> <hr/> <p>(b) devices and equipment for clandestine monitoring or video recording:</p> <hr/> <p>1. video cameras; 2. special video transmitters; 3. special video receivers; and 4. mini video recorders;</p> |
| <i>Technical note:</i> | <p>10A905(b)(1) includes wired and wireless video cameras and TV cameras</p> <hr/> <p>(c) devices and equipment for clandestine retrieving of digital or mobile voice telecommunications or other information from technical means or channels of communication;</p> <hr/> <p>(d) devices and equipment for 'clandestine entering' into premises, means of transport or other objects:</p> |
| <i>Technical note:</i> | <p>For the purposes of 10A905 'clandestine entering' means clandestine opening of mechanical, electronic or other locks or cracking of codes</p> <hr/> <p>1. special X-ray equipment for looking into locks; 2. master keys; 3. tools for opening locks; and 4. electronic devices for cracking the lock codes;</p> <hr/> <p>(e) countermeasure equipment and devices against special operations:</p> <p><i>Note:</i> See also 'EU Common Military List'</p> <hr/> <p>1. special indicators; 2. special locators; 3. scanners; 4. scramblers; 5. special frequency meters; 6. wide frequency range noise generators</p> |

| Part No | Name of goods |
|--------------|--|
| 10A906 | Night vision monoculars, binoculars and aiming sights and components thereof <i>Note:</i> See also 'EU Common Military List' |
| 10A907 | Antipersonnel mines |
| <i>Note:</i> | The export of antipersonnel mines is forbidden |
| 10D | Software |
| 10D901 | 'Software' specially designed or modified for clandestine obtaining of information from computers, networks or other information systems or for clandestine change or destruction of such information |
| <i>Note:</i> | 10D901 controls the export, import, 'production', 'use', 'development' and storage of the above-mentioned 'software' |
| 10E | Technology |
| 10E901 | Technology for development, production and use of equipment mentioned in 10A905 |
| 10E902 | Military assistance |
| <i>Note:</i> | Military assistance includes any technical support related to the production, development, maintenance, testing and construction of military items, as well as any kind of technical services, such as instructions, training, transfer of practical skills, consultations, including in oral form |
| Exceptions | <ol style="list-style-type: none"> 1. Military assistance to EU Member States, NATO Member States, Australia, Canada, New Zealand, Japan and Switzerland. 2. Military assistance is in the public domain or in the form of fundamental scientific research information. 3. Military assistance is oral and not related to items controlled by one or more international export control regimes, conventions or agreements |

2. INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 6 (NATIONAL AUTHORITIES EMPOWERED TO GRANT EXPORT LICENCES IN THE MEMBER STATES)

This information is available and regularly updated on DG Trade's website dedicated to Dual Use: http://ec.europa.eu/trade/issues/sectoral/industry/dualuse/index_en.htm

2.1. Belgium

For the Brussels Capital Region (localities with postal codes 1000 to 1299):

Ministère de la Région de Bruxelles-Capitale
 Direction des Relations extérieures — cellule licences
 Ms. Karolien Maerten
 City-Center
 Boulevard du Jardin Botanique 20
 B-1035 Bruxelles
 Tél. (32-2) 800 37 44
 Fax (32-2) 800 38 24
 E-mail: weaponslic@mrbc.irisnet.be
 Website: http://www.bruxelles.irisnet.be/en/entreprises/maison/permis_licences_autorisations_inscriptions/armes_et_technologies_double_usage.shtml

For the Walloon Region (localities with postal codes 1300 to 1499 and 4000 to 7999):

Ministère de la Région Wallonne
Direction générale économie et emploi
Direction gestion des licences
M. Michel Moreels
Chaussée de Louvain 14
B-5000 Namur
Tél. (32-81) 64 97 51
Fax (32-81) 64 97 59/60
E-mail: m.moreels@mrw.wallonie.be
Website: not yet available (under construction)

For the Flanders Region (localities with postal codes 1500 to 3999 and 8000 to 9999):

Vlaamse Overheid
Departement internationaal Vlaanderen
Dienst Controle Wapenhandel
M. Michael Peeters
Boudewijnlaan 30
B-1000 Brussel
Tel.: (32-2) 553 61 71
Fax (32-2) 553 60 37
E-mail: wapenhandel@vlaanderen.be
Website: <http://www.vlaanderen.be/wapenhandel>

2.2. Bulgaria

Interministerial Commission for Export Control and Non-Proliferation of Weapons of Mass Destruction with the Minister for Economic Affairs and Energy
ул. „Княз Александър Батенберг“ 12
BG-1000 София
Tel. (359-2) 940 77 71, (359-2) 940 7681
Fax (359-2) 988 07 27
E-mail: h.atanasov@mee.government.bg et i.bahchevanova@mee.government.bg
Website: <http://www.mee.government.bg/ind/lic/arms.html> et www.exportcontrol.bg

2.3. Czech Republic

Ministry of Industry and Trade
Licensing Office
Na Františku 32
CZ-110 15 Praha 1
Tel. (420) 224 90 76 38
Fax (420) 224 21 45 58 or (420) 224 22 18 11
E-mail: cudova@mpo.cz ou osm@mpo.cz
Website: www.mpo.cz

2.4. Denmark

Danish Enterprise and Construction Authority
Langelinie Allé 17
DK-2100 København
Tel. (45) 35 46 60 00
Fax (45) 35 46 60 01
E-mail: posttheeks@ebst.dk
Website: in English: www.naec.dk
in Danish: www.ebst.dk

2.5. Germany

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA) (Federal Office of Economics and Export Control)
Frankfurter Str. 29-35
D-65760 Eschborn
Tel. (49-61) 96 90 8-0
Fax (49-61) 96 90 88 00
E-mail: ausfuhrkontrolle@bafa.bund.de
Website: www.bafa.de et www.ausfuhrkontrolle.info

2.6. Estonia

Strategic Goods Commission, Ministry of Foreign Affairs
Strateegilise kauba komisjon, Välisministeerium
Islandi väljak 1
EE-15049 Tallinn
Tel: (372) 63 77 200
Fax (372) 63 77 288
E-mail: stratkom@vm.ee
Website: in English: http://www.vm.ee/eng/kat_153/
in Estonian: http://www.vm.ee/est/kat_186/

2.7. Ireland

Department of Enterprise, Trade and Employment
Earlsfort Centre
Lower Hatch Street
Dublin 2
Ireland
Tel. (353-1) 631 25 34/25 41
LoCall: 1890 220 222 (within Ireland only)
Fax (353-1)631 25 62
E-mail: exportcontrol@entemp.ie
Website: www.entemp.ie/trade/export

2.8. Greece

Ministry of Economy and Finance
General Directorate for International Economic Policy
Directorate of Import-Export Regimes and Trade Defence Instruments
Export Regimes and Procedures Unit
Kornarou 1 str
GR-105 63 Athens
Contact point: G. Archontaki
Tel. 210 328 60 22/21/47
Fax 210 328 60 94
Website: e3c@mnec.gr

2.9. Spain

The General Secretariat for Foreign Trade (Secretaría General de Comercio Exterior)
Ministerio de Industria, Turismo y Comercio
Paseo de la Castellana nº 162, 7^a
E-28046 Madrid
Tel. (34) 913 49 25 87
Fax (34) 913 49 24 70
E-mail: SGDEFENSA.SSCC@mcx.es
Website: <http://www.comercio.es/>

and

The Department of Customs and Excise Duties of the National Tax Administration Agency (Departamento de Aduanas e Impuestos Especiales de la Agencia Estatal de Administración Tributaria)

2.10. France

Ministère du budget, des comptes publics et de la fonction publique
Direction générale des douanes et droits indirects
Service des titres du commerce extérieur (Setice)
8, rue de la Tour-des-Dames
F-75436 Paris Cedex 09
Tél. (33) 155 07 46 73/-46 42/-48 64/-47 64
Fax (33) 155 07 46 67/-46 91
E-mail: dg-setice@douane.finances.gouv.fr
Website: www.douane.gouv.fr

2.11. Italy

Ministry of International Trade (Ministero del Commercio Internazionale)
Direzione generale per la politica commerciale
Viale Boston, 25
I-00144 Roma
Tel. (39) 06 5993 2568
Fax (39) 06 5964 7506
E-mail: polcom4@mincomes.it
Website: <http://www.mincomes.it/menu/dualuse.htm>

2.12. Cyprus

Υπουργείο Εμπορίου, Βιομηχανίας και Τουρισμού/Ministry of Commerce, Industry and Tourism
Ανδρέα Αραούζου 6/6, Andrea Araouzou
CY-1421 Λευκωσία/CY-1421 Nicosia
Tel. (357) 22 86 71 00
Fax (357) 22 37 51 20, 22 37 54 43
E-mail: Perm.sec@mcit.gov.cy
Website: <http://www.mcit.gov.cy/ts>

2.13. Latvia

Licensing authority:

Control Committee for Strategic Goods

Chairman of the Committee: Mr Normans Penke

Executive Secretary: Ms Inga Marcinkēviča

Address: Ministry of Foreign Affairs
Brīvības bulvāris 36
LV-1395 Riga
Tel. (371) 701 61 96
Fax (371) 722 72 26
E-mail: inga.marcinkevica@mfa.gov.lv

Licensing Office:

Head of the Division of Export Control: Ms Inga Marcinkēviča

Deputy Head: Dr.sc.ing. Ģirts Krūmiņš

Ministry of Foreign Affairs, Division of Export Control
Pils laukums 4, Riga
Tel. (371) 701 64 29
E-mail: girts.krumins@mfa.gov.lv

The licensing office processes licence applications for items listed in Annex 1 to Regulation (EC) No 1334/2000 (including Category 0), the EU Common Military List and the National List of Strategic Goods and Services. Licences are issued by the Chairman of the Control Committee for Strategic Goods.

Website: www.mfa.gov.lv/lv/dp/DrosibasPolitikasVirzieni/EksportaKontrole/likumdosana

2.14. Lithuania

Ministry of Economic Affairs, Division of Export Control of Strategic Goods
Gedimino 38/2
LT-01104 Vilnius
Tel. (370-5) 262 30 85
Fax (370-5) 262 39 74
E-mail: spek@ukmin.lt
Website: www.ukmin.lt

2.15. Luxembourg

Ministère de l'économie et du commerce extérieur
Office des licences/Contrôles à l'exportation
BP 113
L-2011 Luxembourg
Tél. (352) 478 23 70
Fax (352) 46 61 38
Website: office.licences@mae.etat.lu

2.16. Hungary

Hungarian Trade Licensing (Magyar Kereskedelmi Engedelyezési Hivatal)
Authority of Defense Industry and Export Control (haditechnikai és exportellenőrzési hatóság)
Margit krt. 85
H-1024 Budapest
Tel. (36) 1 336 74 16
Fax (36) 1 336 74 15
E-mail: eei@mkeh.gov.hu
Website: www.mkeh.gov.hu

2.17. Malta

Ministry for Competitiveness and Communications
Mr Brian Montebello
Commerce Division
Lascaris
Valletta CMR 02
Malta
Tel. (356) 25 69 02 14
Fax (356) 212 46 80 00
E-mail: brian.montebello@gov.mt
Website: www.mcmp.gov.mt/commerce_trade03.asp

2.18. Netherlands

Customs Division North/Central Office for Import and Export
P.O. Box 30003
9700 RD Groningen
Nederland
Tel. (31-50) 52 326 00
Fax (31-50) 52 321 83
E-mail: cdiu.sgs@tiscali-business.nl
Website: www.exportcontrole.ez.nl

2.19. Austria

Ministry for Economic Affairs & Labour, Division for Dual-Use Items and the Wassenaar Arrangement
(C2/3)
Stubenring 1
A-10100 Wien
Mr. Werner Haider
Tel.: (43-1) 711 002 335
Fax (43-1) 711 008 366
E-mail: werner.haider@bmwa.gv.at
Website: www.bmwa.gv.at

2.20. Poland

Ministry of Economic Affairs, Department of Export Control (Ministerstwo Gospodarki, Departament Kontroli Eksportu)
Plac Trzech Krzyży 3/5
PL-00-950 Warszawa
Tel. (48-22) 621 67 36
Fax (48-22) 693 40 33
E-mail: doecmoe@mg.gov.pl
Website: www.mg.gov.pl/Gospodarka/DKE

2.21. Portugal

General Directorate for Customs and Excise (Direcção Geral das Alfândegas e dos Impostos Especiais sobre o Consumo)
Rua Terreiro do Trigo
P-1049-060 Lisboa
Director: Luísa Nobre
Licence Officers: Jorge Almeida/Maria Oliveira
Tel. (351-21) 881 42 63
Fax (351-21) 881 42 61
E-mail: dsl@dgaiec.min-financas.pt
Website (Portuguese only): http://www.dgaiec.min-financas.pt/pt/licenciamento/bens_tecnologias_duplo_uso/bens_tecnologias_duplo_uso.htm

2.22. Romania

National Agency for Export Controls
Str. Polonă nr. 8, sector 1
RO-010501 Bucureşti
Tel. (40-21) 305 72 00, 305 72 07
Fax (40-21) 305 72 24
E-mail: sconstantinescu@ancex.ro, dtocae@ancex.ro
Website: www.ancex.ro

2.23. Slovenia

For DUAL-USE GOODS:

Ministry of the Economy
Kotnikova 5
SLO-1000 Ljubljana
Tel. (386-1) 478 32 23
Fax (386-1) 478 36 11
E-mail: gp.mg@gov.si
Website: http://www.mg.gov.si/si/delovna_podrocja/ekonomski_odnosi_s_tujino/sektor_za_blago_z_dvojno_rabo_in_razpise_zveze_nato/

and

For STRATEGIC GOODS:

Ministry of Health
National Chemicals Bureau
Department for Chemicals
Mali trg 6
SLO-1000 Ljubljana
Tel. (386-1) 478 60 51
Fax (386-1) 478 62 66
E-mail: gp-ursk.mz@gov.si
Website: http://www.uk.gov.si/si/delovna_podrocja/stratesko_blago_posebnega_pomena_za_varnost_in_zdravje/

2.24. Slovakia

Department of Sensitive Goods Trading Management, Ministry of Economic Affairs
Mierova 19
SK-827 15 Bratislava
Mr. Viktor Lehotzký
Tel. (421) 248 54 21 75
Fax (421) 243 42 39 15
E-mail: lehotzky@economy.gov.sk
Website: www.economy.gov.sk

2.25. Finland

Competent Finnish authority empowered to issue export authorisations for dual-use goods:

Ulkoasiainministeriö, Kauppapoliittinen osasto, Vientivalvontayksikkö

Ministry for Foreign Affairs, Department for External Economic Relations, Export Control Unit

PO Box 176

FI-00161 Helsinki

Tel. (358-9) 16 05 54 87 ou 16 05 54 89

Fax (358-9) 16 05 50 70

Website: <http://formin.finland.fi/palvelut/kauppa/vientivalvonta/>

2.26. Sweden

Swedish Inspectorate of Strategic Products (Inspektionen för strategiska produkter)

Klarabergsviadukten 90, Box 70252

S-107 22 Stockholm

Tel. (46-8) 406 31 00

Fax (46-8) 420 31 00

E-mail: isp@isp.se

Website: <http://www.isp.se/>

Swedish Nuclear Power Inspectorate (Statens kärnkraftinspektion)

Klarabergsviadukten 90

S-106 58 Stockholm

Tel. (46-8) 698 84 00

Fax (46-8) 661 90 86

E-mail: info@ski.se

Website: <http://www.ski.se>

2.27. United Kingdom

Department for Business, Enterprise and Regulatory Reform, Export Control Organisation

1 Victoria Street

London SW1H 0ET

United Kingdom

Contact point: Jo Guthrie

Tel. (44-207) 215 81 23

Fax (44-207) 215 45 39

E-mail: jo.guthrie@berr.gsi.gov.uk

Website: <http://www.berr.gov.uk/europeandtrade/strategic-export-control/index.html>

3. INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 13 OF THE REGULATION

Article 13 requires Member States to inform the Commission if they have availed themselves of the option to have customs formalities for the export of dual-use items completed only at customs offices empowered to that end.

3.1. Bulgaria

The territorial customs posts of the Republic of Bulgaria for strategic goods have been approved by the General Director of the Customs Agency under Ministry of Finance Order No 171 of 1 August 2006 (Official Gazette 65/2006).

- List of customs posts on Bulgarian territory through which controlled items (arms and dual-use items and technologies) may leave or enter the Community customs territory:

| Territorial customs posts | Code | Code |
|---|------|----------|
| 'Zapad Ribno Pristanishte Burgas' (Burgas West Fishing Port) customs post | 1001 | BG001001 |
| 'Letishte Burgas' (Burgas Airport) customs post | 1002 | BG001002 |
| Lesovo customs post | 1011 | BG001011 |
| 'Varna Zapad' (Varna West) customs post | 2002 | BG002002 |
| 'Letishte Varna' (Varna Airport) customs post | 2003 | BG002003 |
| 'Pristanishte Varna' (Varna Port) customs post | 2005 | BG002005 |
| 'Feribot Varna' (Varna Ferry) customs post | 2007 | BG002007 |
| 'Letishte Plovdiv' (Plovdiv Airport) customs post | 3002 | BG003002 |
| 'Zh. P. Svilengrad' (Svilengrad Railway Station) customs post | 3102 | BG003102 |
| Kapitan Andreevo customs post | 3103 | BG003103 |
| 'Dunav Most' (Danube Bridge) customs post | 4001 | BG004001 |
| 'Gara razpredelitelna Ruse' (Ruse Freight Yard) customs post | 4005 | BG004005 |
| 'Pristanishte Ruse' (Ruse Port) customs post | 4006 | BG004006 |
| 'Tovarna Gara Ruse' (Ruse Freight Station) customs post | 4009 | BG004009 |
| 'Ro-Ro Terminal Ruse' customs post | 4010 | BG004010 |
| 'Feribot Patnicheski Vidin' (Vidin Road Ferry) customs post | 4103 | BG004103 |
| Oryakhovo customs post | 4203 | BG004203 |
| 'Feribot Oryakhovo' (Oryakhovo Ferry) customs post | 4204 | BG004204 |
| 'Letishte Gorna Oryakhovitsa' (Gorna Oryakhovitsa Airport) customs post | 4303 | BG004303 |
| 'Letishte Sofia' (Sofia Airport) customs post | 5106 | BG005106 |
| Dragoman customs office | 5302 | BG005302 |
| Kalotina customs post | 5304 | BG005304 |
| 'Zh. P. Kulata' (Kulata Railway Station) customs post | 5401 | BG005401 |
| Kulata customs post | 5405 | BG005405 |
| Gyueshevo customs post | 5501 | BG005501 |

- List of inland customs offices for placing controlled items (arms and dual-use items) under customs procedures:

| Territorial customs posts | Code | Code |
|---|------|----------|
| Burgas territorial customs office | 1000 | BG001000 |
| 'Neftokhimicheski Kombinat' (Petrochemicals Plant) customs office | 1005 | BG001005 |
| Varna territorial customs office | 2000 | BG002000 |
| Dobrich territorial customs office | 2100 | BG002100 |
| Plovdiv territorial customs office | 3000 | BG003000 |
| Kazanlak customs office | 3001 | BG003001 |
| 'Mezhdunaroden Plovdivski Panair' (Plovdiv International Fair) customs office | 3003 | BG003003 |
| Karlovo customs office | 3007 | BG003007 |
| Ruse customs office | 4003 | BG004003 |
| Targovishte customs office | 4011 | BG004011 |
| Vidin territorial customs office | 4100 | BG004100 |
| Gabrovo customs office | 4301 | BG004006 |
| Gorna Oryakhovitsa customs office | 4302 | BG004302 |
| Pleven customs office | 4306 | BG004306 |
| Cherven Bryag customs office | 4308 | BG004308 |
| Sofia territorial customs office | 5000 | BG005000 |
| Sofia Airport territorial customs office | 5100 | BG005100 |
| 'Targovski Kompleks Evropa' (Evropa Shopping Centre) customs office | 5104 | BG005104 |
| Kalotina territorial customs office | 5300 | BG005300 |
| Kulata territorial customs office | 5400 | BG005400 |

3.2. Latvia

List of customs posts on Latvian territory through which strategic goods are exported from or imported into the Community customs territory or transported in transit through the Community customs territory:

1. Rīga Region:

| | Post name | Address | Post code |
|------|---------------------|-----------------------------------|-----------|
| 1.1. | AMPK "0206" | Maskavas iela 427a, Rīga, LV-1065 | 0206 |
| 1.2. | Šķirotavas MKP | Krustpils iela 38b, Rīga, LV-1065 | 0207 |
| 1.3. | Rīgas brīvostas MKP | Uriekstes iela 16, Rīga, LV-1010 | 0210 |
| 1.4. | AMPK "0215" | Uriekstes iela 3, Rīga, LV-1010 | 0215 |

| | Post name | Address | Post code |
|-------|------------------|---|-----------|
| 1.5. | Pasta MKP | Starptautiskā lidosta "Rīga" 39/6, Mārupes pagasts, Rīgas rajons, LV-1044 | 0220 |
| 1.6. | AMKP "0229" | Lubānas iela 84/86, Rīga, LV-1021 | 0229 |
| 1.7. | Daugavgrīvas MKP | Daugavgrīvas iela 83/89, Rīga, LV-1007 | 0232 |
| 1.8. | Lidostas MKP | Starptautiskā lidosta "Rīga", Mārupes pagasts, Rīgas rajons, LV-1053 | 0240 |
| 1.9. | MKP "0264" | Ezera iela 22, Rīga, LV-1034 | 0264 |
| 1.10. | AMKP "0265" | Buļļu iela 74, Rīga, LV-1067 | 0265 |

2. Latgales Region:

| | Post name | Address | Post code |
|-------|-------------------------------|--|-----------|
| 2.1. | Grebņevas MKP | Grebņeva, Malnavas pagasts, Ludzas rajons, LV-5728 | 0721 |
| 2.2. | Terehovas MKP | Terehova, Zilupes novads, Ludzas rajons, LV-5751 | 0722 |
| 2.3. | Zilupes MKP | Stacijas iela 2, Zilupe, Ludzas rajons, LV-5751 | 0723 |
| 2.4. | Kārsavas MKP | Bozova, Malnavas pagasts, Ludzas rajons, LV-5749 | 0724 |
| 2.5. | Pātarņieku MKP | p/n Daugavieši, Piedrujas pagasts, Krāslavas rajons, LV-5662 | 0731 |
| 2.6. | Rēzeknes II MKP | Atbrīvošanas aleja 160c, Rēzekne, LV-4604 | 0742 |
| 2.7. | Rēzeknes MKP | Maskavas iela 30, Rēzekne, LV-4600 | 0743 |
| 2.8. | Daugavpils MKP | Višķu iela 21z, Daugavpils, LV- 5404 | 0810 |
| 2.9. | Silenes MKP | Silene, Skrudalienas pagasts, Daugavpils rajons, LV-5472 | 0814 |
| 2.10. | Daugavpils preču stacijas MKP | Piekrastes iela 22, Daugavpils, LV-5400 | 0816 |
| 2.11. | Indras MKP | Blaževica iela 3, Indras pagasts, Krāslavas rajons, LV-5664 | 0817 |

3. Kurzemes Region:

| | Post name | Address | Post code |
|------|---------------------|---|-----------|
| 3.1. | Ventspils ostas MKP | Sarkanmuižas dambis 25a, Ventspils, LV-3602 | 0311 |
| 3.2. | Talsu MKP | Ērgļu iela 4, Talsi, LV-3201 | 0314 |
| 3.3. | Rojas MKP | Selgas iela 1, Roja, LV-3264 | 0319 |
| 3.4. | Mērsraga MKP | Mērsraga pagasts, Talsu rajons, LV-3284 | 0320 |
| 3.5. | Liepājas ostas MKP | Cukura iela 8/16, Liepāja, LV-3401 | 0411 |
| 3.6. | Saldus MKP | Torņi, Saldus pagasts, LV-3801 | 0422 |

4. Vidzemes Region:

| | Post name | Address | Post code |
|------|-----------------------|--|-----------|
| 4.1. | Valmieras MKP | Alejas 12a, p/n Viesturi, Valmieras pagasts, LV-4201 | 0626 |
| 4.2. | Gulbenes MKP | Šneideri, Stradu pagasts, Gulbenes rajons, LV-4431 | 0714 |
| 4.3. | Salacgrīvas ostas MKP | Rīgas iela 2, Salacgrīva, Limbažu rajons, LV-4033 | 0910 |

5. Zemgales Region:

| | Post name | Address | Post code |
|------|---------------|---------------------------------------|-----------|
| 5.1. | Jelgavas MKP | Stacijas iela 1, Jelgava, LV-3001 | 0512 |
| 5.2. | Jēkabpils MKP | Ā. Elksnes iela 6, Jēkabpils, LV-5200 | 0823 |

3.3. Lithuania

The territorial customs posts of the Republic of Lithuania for strategic goods have been approved by the General Director of the Customs department under Ministry of Finance Order No 1B-756 of 30 July 2004 (Valstybės Žinios (Official Gazette), 2004, No 125-4527) and can be accessed via the Ministry of Economic Affairs website at:

<http://www.ukmin.lt/index.php/Lt/Prekyba/Strateginiu/istatymai/>

List of customs posts on Lithuanian territory through which strategic goods are exported from or imported into the Community customs territory or transported for transit through the community customs territory:

1. Vilnius customs district:

- 1.1. Vilnius airport post, Rodūnios kelias 2, Vilnius (VA10/LTVA1000).
- 1.2. Vilnius post office post, Rodūnios kelias 9, Vilnius (VP10/LTVP1000).
- 1.3. Kena railway post, Kalvelių k., Vilniaus r. (VG10/LTVG1000).
- 1.4. Vaidotai railway post, Eišiškių plentas 100, Vilnius (VG20/LTVG2000).
- 1.5. Medininkai road post, kelias A3, Vilniaus r. (VK20/LTVK2000).
- 1.6. Šalčininkai road post, kelias 104, Šalčininkų r. (VK30/LTVK3000).
- 1.7. Vilnius-Kirtimai cargo post, Metalų g. 2a, Vilnius (VR30/LTVR3000).
- 1.8. Vilnius-Savanoriai cargo post, Savanorių pr. 174a, Vilnius (VR10/LTVR1000).

2. Kaunas customs district:

- 2.1. Kaunas airport post, Karmėlava, Kauno r. (KA10/LTKA1000).
- 2.2. Kybartai railway post, Kudirkos Naumiesčio g. 4, Kybartai, Vilkaviškio r. (KG30/LTKG3000).
- 2.3. Kybartai road post, kelias A7, J.Basanavičiaus g. 1, Kybartai, Vilkaviškio r. (KK20/LTKK2000).
- 2.4. Kaunas-centre cargo post, Jovarių g. 3, Kaunas (KR10/LTKR1000).

3. Klaipėda customs district:

- 3.1. Palanga airport post, Liepojos pl. 1, Palanga (LA10/LTLA1000).
- 3.2. Panemunė road post, kelias A12, Donelaičio g., Panemunė, Šilutės r. (LK40/LTLK4000).
- 3.3. Klaipėda cargo post, Šilutės pl. 9, Klaipėda (LR10/LTLR1000).
- 3.4. Malkai seaport post, Perkėlos g. 10, Klaipėda (LU90/LTLU9000).
- 3.5. Molas seaport post, Naujoji Uosto g. 23, Klaipėda (LUA0/LTLUA000).
- 3.6. Pilis seaport post, Nemuno g. 24, Klaipėda (LUB0/LTLUB000).

4. Šiauliai customs district:

- 4.1. Šiauliai airport post, Lakūnų g. 4, Šiauliai (SA10/LTSA1000).
 4.2. Radviliškis railway post, Geležinkelio kalnelis, Radviliškis (SG30/LTSG3000).
 4.3. Šiauliai cargo post, Metalistų g. 4, Šiauliai (SR10/LTSR1000).

5. Panevėžis customs district:

- 5.1. Panevėžis cargo post, Ramygalos g. 151, Panevėžys (PR20/LTPR2000).
 5.2. Utena cargo post, Pramonės g. 5, Utena (PR40/LTPR4000).

3.4. Poland

Annex to the Ordinance of the Minister of Finance of 2 July 2007 (published on 9 August 2007)

— List of customs offices at which customs formalities for the export of dual-use items may be completed:

| No | Chamber Office Branch | Identification Code |
|-----------|--|------------------------|
| I | CUSTOMS CHAMBER IN BIAŁA PODLASKA | |
| 1 | Customs office in Biała Podlaska | |
| a | Customs branch in Biała Podlaska | 301010 |
| b | Customs branch in Małaszewicze | 301020 |
| c | Customs branch in Koroszczyn | 301040 |
| 2 | Customs office in Lublin | |
| a | Customs branch in Lublin | 302010 |
| b | Customs branch in Puławy | 302020 |
| 3 | Customs office in Zamość | |
| a | Customs branch in Zamość | 303010 |
| b | Customs branch in Hrebenne | 303020 |
| c | Customs branch in Hrubieszów | 303030 |
| d | Customs branch in Chełm | 303050 |
| e | Customs branch in Dorohusk | 303060 |
| f | Customs branch (road) in Dorohusk | 303070 |
| II | CUSTOMS CHAMBER IN BIAŁYSTOK | |
| a | Customs branch in Białystok | 311010 |
| b | Customs branch (rail) in Kuźnica | 311020 |
| c | Customs branch (road) in Kuźnica | 311030 |
| d | Customs branch in Czeremcha | 311040 |
| e | Customs branch in Siemianówce | 311050 |
| f | Customs branch in Bobrownice | 311070 |
| 2 | Customs office in Łomża | |

| No | Chamber Office Branch | Identification Code |
|------------|---|------------------------|
| a | Customs branch in Łomża | 312010 |
| 3 | Customs office in Suwałki | |
| a | Customs branch in Suwałki | 313010 |
| III | CUSTOMS CHAMBER IN GDYNIA | |
| 1 | Customs office in Gdynia | |
| a | Customs branch 'Basen V' in Gdynia | 321010 |
| b | Customs branch 'Dworzec Morski' in Gdynia | 321020 |
| c | Customs branch 'Baza Kontenerowa' in Gdynia | 321030 |
| d | Postal customs branch in Gdynia | 321040 |
| e | Customs branch 'Basen IV' in Gdynia | 321050 |
| f | Customs branch 'Nabrzeże Bułgarskie' in Gdynia | 321070 |
| 2 | Customs office in Gdańsk | |
| a | Customs branch 'Opłotki' in Gdańsk | 322010 |
| b | Customs branch 'Nabrzeże Wiślane' in Gdańsk | 322020 |
| c | Customs branch 'Basen im. Władysława IV' in Gdańsk | 322030 |
| d | Customs branch 'Port Północny' in Gdańsk | 322040 |
| e | Customs branch Port Lotniczy Gdańsk-Rębiechowo (airport) | 322050 |
| f | Customs branch in Starogard Gdański | 322060 |
| g | Customs branch in Kwidzyn | 322070 |
| 3 | Customs office in Słupsk | |
| a | Customs branch in Słupsk | 323010 |
| IV | CUSTOMS CHAMBER IN KATOWICE | |
| 1 | Customs office in Katowice | |
| a | Customs branch in Katowice | 331010 |
| b | Customs branch in Tychy | 331020 |
| c | Customs branch in Dąbrowa Górnicza | 331030 |
| d | Customs branch Port Lotniczy Katowice-Pyrzowice (airport) | 331040 |
| 2 | Customs office in Gliwice | |
| a | Customs branch in Gliwice | 332010 |
| b | Customs branch in Bytom | 332020 |
| 3 | Customs office in Częstochowa | |
| a | Customs branch in Częstochowa | 333010 |

| No | Chamber Office Branch | Identification Code |
|-------------|--|------------------------|
| 4 | Customs office in Bielska-Biała | |
| a | Customs branch in Czechowice-Dziedzice | 335010 |
| b | Customs branch in Cieszyna | 335030 |
| V | CUSTOMS CHAMBER IN KIELCE | |
| 1 | Customs office in Kielce | |
| a | Customs branch in Kielce | 341010 |
| b | Customs branch in Starachowice | 341020 |
| VI | CUSTOMS CHAMBER IN KRAKÓW | |
| 1 | Customs office in Kraków | |
| a | Customs branch I in Kraków | 351010 |
| b | Customs branch II in Kraków | 351020 |
| c | Customs branch Port Lotniczy Kraków-Balice (airport) | 351030 |
| 2 | Customs office in Nowy Targ | |
| a | Customs branch in Nowy Targ | 352010 |
| b | Customs branch in Andrychów | 352020 |
| 3 | Customs office in Nowy Sącz | |
| a | Customs branch in Nowy Sącz | 353010 |
| b | Customs branch in Tarnów | 353030 |
| VII | CUSTOMS CHAMBER IN ŁÓDZ | |
| 1 | Customs office I in Łódz | |
| a | Customs branch I in Łódz | 361010 |
| b | Customs branch in Sieradz | 361030 |
| 2 | Customs office II in Łódz | |
| a | Customs branch II in Łódz | 362010 |
| b | Customs branch in Kutno | 362030 |
| 3 | Customs office in Piotrków Trybunalski | |
| a | Customs branch in Piotrków Trybunalski | 363010 |
| VIII | CUSTOMS CHAMBER IN OLSZTYN | |
| 1 | Customs office in Olsztyn | |
| a | Customs branch in Olsztyn | 371010 |
| b | Customs branch in Bezledy | 371030 |
| c | Customs branch in Elk | 371050 |

| No | Chamber Office Branch | Identification Code |
|-----------|---|------------------------|
| 2 | Customs office in Elbląg | |
| a | Customs branch in Elbląg | 372010 |
| b | Customs branch in Braniewo | 372020 |
| c | Customs branch in Iława | 372040 |
| IX | CUSTOMS CHAMBER IN OPOLE | |
| 1 | Customs office in Opole | |
| a | Customs branch in Opole | 381010 |
| b | Customs branch in Kędzierzyn-Koźle | 381030 |
| c | Customs branch in Nysa | 381040 |
| X | CUSTOMS CHAMBER IN POZNAŃ | |
| 1 | Customs office in Poznań | |
| a | Customs branch in Poznań | 391010 |
| b | Customs branch 'MTP' in Poznań | 391020 |
| c | Customs branch Port Lotniczy Poznań-Ławica (airport) | 391030 |
| 2 | Customs office in Pila | |
| a | Customs branch in Pila | 392010 |
| 3 | Customs office in Leszno | |
| a | Customs branch in Leszno | 393010 |
| b | Customs branch in Nowy Tomyśl | 393020 |
| 4 | Customs office in Kalisz | |
| a | Customs branch in Kalisz | 394010 |
| XI | CUSTOMS CHAMBER IN PRZEMYŚL | |
| 1 | Customs office in Przemyśl | |
| a | Customs branch in Przemyśl | 401010 |
| b | Customs branch in Medyka | 401030 |
| c | Customs branch Medyka-Żurawica | 401040 |
| d | Customs branch in Korczowa | 401060 |
| e | Customs branch in Werchrata | 401070 |
| 2 | Customs office in Rzeszów | |
| a | Customs branch in Rzeszów | 402010 |
| b | Customs branch Port Lotniczy Rzeszów-Jasionka (airport) | 402020 |

| No | Chamber Office Branch | Identification Code |
|-------------|--|------------------------|
| c | Customs branch in Stalowa Wola | 402050 |
| d | Customs branch in Mielec | 402060 |
| 3 | Customs office in Krosno | |
| a | Customs branch in Krosno | 404010 |
| XII | CUSTOMS CHAMBER IN RZEPIN | |
| 1 | Customs office in Zielona Góra | |
| a | Customs branch in Zielona Góra | 411010 |
| b | Customs branch in Olszyn | 411020 |
| 2 | Customs office in Gorzów Wielkopolski | |
| a | Customs branch in Gorzów Wielkopolski | 412010 |
| b | Customs branch in Świeck | 412020 |
| XIII | CUSTOMS CHAMBER IN SZCZECIN | |
| 1 | Customs office in Szczecin | |
| a | Customs branch in Szczecin | 421010 |
| b | Customs branch 'Nabrzeże Łasztownia' in Szczecin | 421030 |
| c | Customs branch Port Lotniczy Szczecin-Goleniów (airport) | 421050 |
| d | Customs branch in Stargard Szczeciński | 421060 |
| e | Customs branch in Świnoujście | 421080 |
| f | Customs branch in Lubieszyn | 421090 |
| 2 | Customs office in Koszalin | |
| a | Customs branch in Koszalin | 422010 |
| b | Customs branch in Kołobrzeg | 422020 |
| c | Customs branch in Szczecinka | 422030 |
| XIV | CUSTOMS CHAMBER IN TORUŃ | |
| 1 | Customs office in Bydgoszcz | |
| a | Customs branch II in Bydgoszcz | 431020 |
| 2 | Customs office in Toruń | |
| a | Customs branch in Toruń | 432010 |
| b | Customs branch in Włocławek | 432030 |
| c | Customs branch in Grudziądz | 432040 |

| No | Chamber Office Branch | Identification Code |
|------------|--|------------------------|
| XV | CUSTOMS CHAMBER IN WARSAW | |
| 1 | Customs office I in Warsaw | |
| a | Customs branch IV in Warsaw | 441040 |
| 2 | Customs office II in Warsaw | |
| a | Customs branch VI in Warszawa | 442020 |
| 3 | Customs office III 'Port Lotniczy' in Warsaw (airport) | |
| a | Customs branch (persons) in Warsaw | 443010 |
| b | Customs branch 'goods I' in Warsaw | 443020 |
| c | Customs branch 'goods II' in Warsaw | 443030 |
| d | Customs branch 'goods III' in Warsaw | 443040 |
| 4 | Customs office in Radom | |
| a | Customs branch in Radom | 444010 |
| 5 | Customs office in Pruszków | |
| a | Customs branch I in Pruszków | 445010 |
| b | Customs branch in Błonie | 445030 |
| 6 | Customs office in Ciechanów | |
| a | Customs branch in Ciechanów | 447010 |
| XVI | CUSTOMS CHAMBER IN WROCLAW | |
| 1 | Customs office in Wrocław | |
| a | Customs branch I in Wrocław | 451010 |
| b | Customs branch Port Lotniczy Wrocław-Strachowice (airport) | 451030 |
| 2 | Customs office in Legnica | |
| a | Customs branch in Legnica | 452010 |
| b | Customs branch in Polkowice | 452020 |
| c | Customs branch in Żarska Wieś | 452030 |
| 3 | Customs office in Wałbrzych | |
| a | Customs branch in Wałbrzych | 454010 |
| b | Customs branch in Jelena Góra | 454040 |

List amended by the Ordinances of the Minister of Finance of 18 July 2005, 23 August 2005, 24 May 2006 and 2 July 2007.

3.5. Romania

— List of Romanian customs offices empowered to provide formalities for the export of dual use items, as per Article 13 of the Regulation:

| No | Customs offices | Code |
|-----|---|----------|
| 1. | Customs office in ALBIŢA | ROIS0100 |
| 2. | County directorate for excise and customs operations in ALBA | ROBV0300 |
| 3. | Customs office in MIHAIL KOGĂLNICEANU airport | ROCT5100 |
| 4. | County directorate for excise and customs operations in ILFOV | ROBU1200 |
| 5. | County directorate for excise and customs operations in ARAD | ROTM0200 |
| 6. | County directorate for excise and customs operations in BACĂU | ROIS0600 |
| 7. | County directorate for excise and customs operations in BRAŞOV | ROBV0900 |
| 8. | County directorate for excise and customs operations in BRĂILA | ROGL0700 |
| 9. | County directorate for excise and customs operations in CĂLĂRAŞI | ROCT1710 |
| 10. | County directorate for excise and customs operations in CLUJ NAPOCA | ROCJ1800 |
| 11. | County directorate for excise and customs operations in CONSTANŢA | ROCT1970 |
| 12. | Customs office in CONSTANŢA SUD | ROCT1900 |
| 13. | County directorate for excise and customs operations in DOLJ | ROCR2100 |
| 14. | County directorate for excise and customs operations in HUNEDOARA | ROTM8100 |
| 15. | County directorate for excise and customs operations in VRANCEA | ROGL3600 |
| 16. | County directorate for excise and customs operations in GALAŢI | ROGL3800 |
| 17. | Customs office in GIURGIULEŞTI | ROGL3850 |
| 18. | Customs office in HALMEU | ROCJ4320 |
| 19. | County directorate for excise and customs operations in IAŞI | ROIS4650 |
| 20. | Customs office in JIMBOLIA | ROTM5010 |
| 21. | Customs office in MORAVIŢA | ROTM5510 |
| 22. | County directorate for excise and customs operations in BIHOR | ROCJ6570 |
| 23. | Customs office in OTOPENI CĂLĂTORI | ROBU1030 |
| 24. | County directorate for excise and customs operations in ARGEŞ | ROCR7000 |

| No | Customs offices | Code |
|-----|---|----------|
| 25. | County directorate for excise and customs operations in PRAHOVA | ROBU7100 |
| 26. | Customs office in PORȚILE DE FIER I | ROCR7270 |
| 27. | County directorate for excise and customs operations in VÂLCEA | ROCR7700 |
| 28. | Customs office in SCULENI | ROIS4990 |
| 29. | County directorate for excise and customs operations in SIBIU | ROBV7900 |
| 30. | Customs office in SIGHET | ROCI8000 |
| 31. | Customs office in SIRET | ROIS8200 |
| 32. | County directorate for excise and customs operations in SUCEAVA | ROIS8230 |
| 33. | County directorate for excise and customs operations in DÂMBOVIȚA | ROBU8600 |
| 34. | Municipal office for excise and customs operations in BUCUREȘTI | ROBU1400 |
| 35. | County directorate for excise and customs operations in MUREȘ | ROBV8800 |
| 36. | County directorate for excise and customs operations in TIMIȘ | ROTM8720 |
| 37. | Customs office in TIMIȘOARA airport | ROTM8730 |

4. INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 21 OF THE REGULATION

Article 21(2)(d) stipulates that Member States imposing an authorisation requirement for the transfer from their territory to another Member State of items not listed in Annex IV to the Regulation (Annex IV lists items which do not benefit from freedom of movement in the single market) must inform the Commission, which must in turn publish this information in the *Official Journal of the European Union*.

Only Germany and UK have notified the Commission of such measures. More specifically:

4.1. Germany

The following provisions of the Foreign Trade and Payments Act (*Aussenwirtschaftsgesetz*; hereafter: the AWG) and the Foreign Trade and Payments Ordinance (*Außenwirtschaftsverordnung*; hereafter: the AWV), adopted on 18 December 1986, are relevant:

Section 2(2) of the AWG

See above (1.2.d)

Section 7(2) of the AWV

Section 7(2) of the AWV may refer to the entire range of items listed in Annex I or to German national listed items (numbers 900+)

7(2): The transfer of goods specified in Part I, Section C, of the Export Control List (Annex AL) shall require a licence if the transferor is aware that the final destination of the goods is outside the European Union. Sentence 1 does not apply if the transfer already requires a licence under Article 21 paragraph 1 sentence 1 of the Regulation (EC) No 1334/2000.

Section 7(3) of the AWV

7(3): The transfer of goods not specified in the Export Control List (Annex AL) shall require a licence if the final destination of the goods is outside the European Union and if the transferor has been informed by the Federal Office of Economics and Export Control (*Bundesamt für Wirtschaft und Ausfuhrkontrolle*; BAFA) that the goods are or may be intended, in their entirety or in part, for a military end-use as defined by Section 5c, paragraph 1, sentence 2, and the purchasing country or country of destination is a country on Country List K or a country under embargo as defined by Article 4 paragraph 2 of the Regulation (EC) No 1334/2000. If the transferor is aware that the items, as defined by sentence 1 above, which he proposes to transfer and the final destination of which is outside the European Union, are intended for a military end-use, and the purchasing country or country of destination is a country of Country List K or a country under embargo as defined by Article 4 paragraph 2 of Regulation (EC) No 1334/2000, he must notify the Federal Office of Economics and Export Control (BAFA); it will decide whether or not the transfer is subject to licensing. The goods may only be transferred after the Federal Office of Economics and Export Control approved the transfer or decided that an authorisation is not required.

(Country List K as modified by the 80th Regulation amending the Foreign Trade and Payments Ordinance (AWV) of 16 August 2007) contains the following countries: Cuba and Syria)

Article 7(4) of the AWV

7(4): The transfer of goods not specified in the Export Control List (Annex AL) shall require a licence if the final destination of the goods is outside the European Union and the transferor has been informed by the Federal Office of Economics and Export Control that the goods are or may be intended, in their entirety or in part, for the setting-up, operation, or incorporation into a plant for nuclear purposes as defined by Section 5d, paragraph 1 AWV, and if the purchasing country or country of destination is Algeria, India, Iran, Iraq, Israel, Jordan, Libya, North Korea, Pakistan or Syria. If a transferor is aware that the items as defined by sentence 1 above, which he proposes to transfer and the final destination of which is outside the European Union, are intended for a purposes mentioned in sentence 1 above and the purchasing country or country of destination is Algeria, India, Iran, Iraq, Israel, Jordan, Libya, North Korea, Pakistan or Syria, he must notify the Federal Office of Economics and Export Control (BAFA); it will decide whether or not the transfer is subject to licensing. The goods may only be transferred after the Federal Office of Economics and Export Control (BAFA) approved the transfer or decided that an authorisation is not required.

4.2. United Kingdom

Article 21(2)(a) gives Member States the option to impose controls on the transfer of other dual-use items (i.e. other than those in Annex IV) from its territory to another Member State where, subject to certain provisions, at the time of transfer it is known that the final destination is outside the Community.

The UK has implemented that optional clause in its national legislation under Article 4(2)(a) and Article 7(2)(a) of the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 (S.I. 2003/2764).

Article 4

of the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 (S.I. 2003/2764)

Export of dual-use goods and end-use control

4. 1. Subject to the provisions of this Order, goods of a description specified in Schedule 2 to this Order are prohibited to be exported to the destinations specified in that Schedule as being prohibited destinations in relation to those goods.

2. Subject to the provisions of this Order,
 - (a) goods specified in Annex I but not in Annex IV to the Regulation;
 - (b) goods of a description specified in Schedule 2 to this Order; or
 - (c) goods not specified in Annex I to the Regulation or Schedule 2 to this Order but for the exportation of which from the European Community an authorisation is required pursuant to:
 - (i) Article 4(1) of the Regulation; or
 - (ii) Article 4(2), (3) or (4) of the Regulation,are prohibited to be exported to any destination in any Member State where the exporter knows at the time of exportation that the final destination of such goods is outside the European Community and no processing or working is to be performed on those goods in any Member State to which they are to be exported.
3. Subject to the provisions of this Order, dual-use goods not listed in Annex I of the Regulation, which the exporter has grounds for suspecting are or may be intended, in their entirety or in part, for any relevant use, are prohibited to be exported to any destination outside the European Community, unless the exporter has made all reasonable enquiries as to their proposed use and is satisfied that they will not be so used.
4. Subject to the provisions of this Order, goods of a description specified in Annex I to the Regulation, which are goods in transit, are prohibited to be exported to any destination.
5. Subject to the provisions of this Order, paragraphs (1), (2), (3) and (4) do not prohibit the exportation of any goods in relation to which a licence in writing has been granted by the Secretary of State, provided that all conditions attaching to the licence are complied with.

Article 7

of the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 (S.I. 2003/2764)

Electronic transfer of controlled dual-use technology and software and end-use controls

7. 1. Subject to the provisions of this Order, no person shall transfer by any electronic means any dual-use software or technology of a description specified in Schedule 2 to this Order where the transfer is to a person or place in any destination specified in that Schedule as being a prohibited destination in relation to that software or technology.
2. Subject to the provisions of this Order, no person shall transfer by any electronic means to a person or place in any Member State any dual-use software or technology that is either:
 - (a) specified in Annex I but not in Annex IV to the Regulation;
 - (b) specified in Schedule 2 to this Order; or
 - (c) not specified in Annex I to the Regulation or Schedule 2 to this Order but for the transfer of which from the European Community an authorisation is required pursuant to:
 - (i) Article 4(1) of the Regulation; or
 - (ii) Article 4(2), (3) or (4) of the Regulation,

if he knows at the time of the transfer that such software or technology is intended for use outside the European Community and no processing or working is to be performed on that software or technology in any Member State to which it is to be transferred.

3. Subject to the provisions of this Order, no person shall transfer by any electronic means any dual-use software or technology not listed in Annex 1 of the Regulation, to a person or place outside the European Community where he has grounds for suspecting that such software or technology is or may be intended, in its entirety or in part, for any relevant use, unless he has made all reasonable enquiries as to its proposed use and is satisfied that it will not be so used.
 4. Subject to the provisions of this Order,
 - (a) Article 21(1) of the Regulation and paragraphs (1), (2) and (3) of this article do not prohibit the transfer of any dual-use software or technology in relation to which a licence in writing has been granted by the Secretary of State provided that all conditions attaching to the licence are complied with; and
 - (b) Article 3(1) of the Regulation does not prohibit the transfer of any dual-use software or technology under the authority of the Community General Export Authorisation, or in relation to which a licence in writing has been granted by the Secretary of State or a Community Licence has been granted by any competent authority, provided that all conditions applying to that authorisation or attaching to the licence or Community Licence are complied with.
-