

EXPORT LICENCE

Open General Export Licence (Historic Military Goods) dated 1st December 2005 granted by the Secretary of State.

The Secretary of State, in exercise of powers conferred by Articles 12 of the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003^(a) ("the Order") hereby grants the following Open General Export Licence:

Licence

1. Subject to the following provisions of this Licence, any goods specified in Part A of Schedule 1 hereto, other than any goods specified in Part B, may be exported from the United Kingdom to any destination except a destination in a country specified in Schedule 2 to this Licence.

Exclusions

2. This licence does not authorise the export of goods to a destination within a Customs Free Area.

Conditions and requirements

3. The authorisation in paragraph 1 is subject to the following conditions:
- (1) before an exporter first exports goods under this Licence, he shall have informed the Secretary of State of his intention to export goods under this Licence, specifying the name of the exporter and the address at which copies of records of their export may be inspected under condition 3(2) below;

^(a) S.I.2003/2764, as last amended by S.I. 2005/468

- (2) in respect of the export of goods under this Open General Export Licence, the exporter shall maintain records of the date and destination of each export, and any such records shall be maintained for at least four years after the date of the relevant export and the exporter shall permit the records to be inspected and copied by any person authorised by the Secretary of State;
- (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 (Historic Military Goods)" and shall be presented to an officer of HM Revenue and Customs if so requested.
- (4) the exporter shall notify the Secretary of State of any change in the address referred to in paragraph 3(1) above within 30 days of that change;

Prohibitions not affected by this Licence

4. Nothing in this Licence shall affect any prohibition or restriction on the exportation or the 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) a "Customs Free Zone" is 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;

- (b) "entry" includes part of an entry;
- (c) unless the context otherwise requires, any other expression used in this Licence shall have the meaning it has in the Export Control Act^(b) or the Order.

Entry into Force

- 6. This Licence shall come into force on 2nd December 2005.
- 7. The Open General Export Licence (Historic Military Goods) dated 1 May 2004 is hereby revoked.

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

Schedule 1

Items concerned

Part A

Any goods specified in Part I of Schedule 1 to the Order manufactured before 1897 of which the value is less than £35000, or reproductions of muzzle loaded weapons based upon originals which were manufactured before 1897.

Part B

- (i) fully automatic weapons falling within entry ML1 or ML2;
- (ii) goods falling within entry ML4 as follows;
 - anti-personnel landmines and specially designed components therefor;
- (iii) goods falling within entry PL5001,c or g;
- (iv) technology, equipment and software specified in entry ML18, ML21 or ML22, specifically related to goods specified in (ii) or (iii) of Part B of this Schedule.

^(b) 2002 c.28

Schedule 2

Destinations concerned

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

All destinations other than in:

Afghanistan, Angola, Argentina, Armenia, Azerbaijan, Benin, Bosnia and Herzegovina, Burkina Faso, Burma (Myanmar), Burundi, Cape Verde, Congo (Democratic Republic of), Croatia, Cyprus, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guinea Bissau, Indonesia, Iran, Iraq, Ivory Coast, Liberia, Libya, Mali, Macau Special Administrative Region, Mauritania, Niger, Nigeria, North Korea, People's Republic of China (including Macau Special Administrative Region but excluding Hong Kong Special Administrative Region), Rwanda, Senegal, Serbia and Montenegro, Sierra Leone, Somalia, Sudan, Tanzania, Toga, Uganda, Uzbekistan and Zimbabwe.

Explanatory Note

(This Note is not part of the Licence)

This licence has been amended by adding Uzbekistan in the list of excluded destinations in Schedule 2. This follows the adoption of an EU arms embargo on Uzbekistan.

2. This Licence permits, without further authority but subject to certain conditions, exportation to certain destinations of goods specified in Part A of Schedule 1 to the licence, other than those specified in Part B of that Schedule, which were manufactured before 1897 providing the value is less than £35000 as well as reproductions of muzzle loaded weapons based on originals manufactured before 1897.

3. 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 military goods, which fall under its control. This notification should be given in writing or by facsimile transmission to:

Export Control Organisation
Customer Service and Compliance Unit
Department of Trade and Industry
3rd Floor, Kingsgate House
66-74 Victoria Street
London SW1E 6SW
Fax No: 020 7215 0531

4. The provisions of this Licence only apply for the purposes of the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003. This Licence does not extend to other prohibitions on export, particularly those relating to antiques or implementing United Nations sanctions.