

EXPORT LICENCE

Open General Export Licence (Military Surplus Vehicles) dated 29 September 2006 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 Schedule 1 to this Licence may be exported from the United Kingdom to any destination in any country except a destination in any country specified in Schedule 2 to this Licence.

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, wholly 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 the development, production, maintenance or storage of missiles capable of delivering such weapons;
- (2) if the exporter knows that they are intended, wholly or in part, to be used in connection with one of the activities referred to in subparagraph (1) above; or
- (3) if the exporter has grounds for suspecting that they might be used, wholly or in part, in connection with an activity referred to in subparagraph (1) above, unless he has made all reasonable enquiries as to

^(a) S.I. 2003/2764; as amended
Export Licence 23

their proposed use and satisfied himself that the goods will not be so used;

- (4) the goods shall not be exported for any military purpose;
- (5) the goods shall not be exported to a destination within a Customs Free Zone.

Conditions and Requirements

- 3. The authorisation in paragraph 1 is subject to the following conditions:
 - (A) the goods must originally have been owned by the UK Ministry of Defence and documentary evidence thereof must be available for inspection, if so requested, by an officer of HM Revenue and Customs at the time of export: for these purposes "documentary evidence" means a letter from the Ministry of Defence's Disposal Sales Agency which confirms previous Ministry of Defence ownership, or Ministry of Defence (MoD) Form 654, or the Driver and Licensing Authority (DVLA) Form V5;
 - (B) 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 (Military Surplus Vehicles)" and shall be presented to an officer of HM Revenue and Customs if so requested;
 - (C) the requirements of Article 13 of the Order shall apply to any export under this Licence.

Overlapping Descriptions

- 4. Where the export of any goods is controlled by virtue of any head of the entry in Schedule 1 to this Licence and their export is also controlled by virtue of any other head or entry in Schedule 1 to the Order, the export of such goods is not authorised by this Licence.

Prohibitions not affected by this Licence

5. 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

6. In 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, 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) "entry" and "head" includes part of an entry or head;
- (d) unless the context otherwise requires, any other expression used in this Licence shall have the meaning it has in the Export Control Act 2002^(b) or the Order.

Entry into Force

7. This Licence shall come into force on 2 October 2006.

^(a) O.J. No. L159, 30.6.2000, as amended

^(b) 2002 c.28

8. The Open General Export Licence (Military Surplus Vehicles) dated 3 May 2006 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

Goods falling within entry ML6 a. in Part I of Schedule 1 to the Order, **except:**

- a. Tanks and self-propelled guns;
- b. Armed, armoured vehicles and vehicles fitted with mounting for arms;
- c. Half-tracks;
- d. Gun-carriers, tractors and trailers specially designed for towing or transporting ammunition or weapons systems and related load handling equipment;
- e. Components specially designed or modified for military use for goods specified in heads a. to d. above.

SCHEDULE 2

DESTINATION CONCERNED

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

All destinations other than in :

Afghanistan, Angola, Armenia, Argentina, Azerbaijan, Bosnia and Herzegovina, Burma (Myanmar), Burundi, China(PRC) (including Hong Kong and Macau Special Administrative Region), Croatia, Democratic Republic of the Congo, Ecuador, Eritrea, Ethiopia, Indonesia, Iran, Iraq, Ivory Coast, Lebanon, Liberia, Libya, the Former Yugoslav Republic of Macedonia, Namibia, Nepal, Nigeria, North Korea, Peru, Rwanda, Serbia and Montenegro, Sierra Leone, Somalia, Sudan, Taiwan, Tanzania, Uganda, Uzbekistan and Zimbabwe

EXPLANATORY NOTE

(This Note is not part of the Licence)

1. This licence has been amended by adding Lebanon to the list of excluded destinations in Schedule 2 of the Licence. This follows the recent adoption of an arms embargo on Lebanon.

2. This Licence permits, without further authority but subject to certain conditions, the exportation to any destination in any country, except a destination in a country specified in Schedule 2 to the Licence, of goods specified in Schedule 1 to the Licence where those goods were previously originally owned by the Ministry of Defence. Written confirmation of previous ownership may be obtained from:

Ministry of Defence
Disposal Sales Agency
St. Georges Court
2-12 Bloomsbury Way
London
WC1A 2SH
Tel: 0207 261 8816/7

3. One of the conditions attached to this Licence is that Article 13 of the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 shall apply to its use. This requires that an exporter who exports goods under the authority of this Licence must retain certain records relating to the exported goods and must, before or within 30 days of the first occasion he makes use of the Licence, provide details to the Secretary of State of his name and the address where these records can be inspected. These details should be sent to:

Customer Service and Compliance Unit
Export Control Organisation
Department of Trade and Industry
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 Good, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003: in particular, this Licence does not extend to prohibitions in other legislation implementing United Nations Sanctions.