

EXPORT LICENCE

Open General Export Licence (OIL and GAS Exploration: Dual-Use Items) dated 4th April 2007 granted by the Secretary of State.

The Secretary of State, in exercise of powers conferred by Articles 6(2) and (4) of Council Regulation (EC) No. 1334/2000 ("the Regulation")^(a) and Article 12 of the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 ("the Order")^(b), hereby grants the following Open General Export Licence:

Community Licence

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

a) O.J. No. L159 30.6.00 p.1., as amended

b) S.I. 2003/2764, as amended

- (i) the purposes of construction tasks or hydrographic surveys, in either case, in support of contracts within the oil and gas industry; and
- (ii) the items will remain under the direct control of the exporter or its appointed personnel; and
- (iii) no equipment exported may be sold, gifted or left behind; and
- (iv) in the event of any loss of direct control including total loss of equipment or components this must be reported immediately to DTI along with technical details of the goods;

Exclusions

- 3. This Licence does not authorise the export of items:
 - (1) if the exporter has been informed by a competent authority of the Member State where he is established that they are or may be intended, in their entirety or in part
 - (a) for use in connection with the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons, or other nuclear explosive devices or the development, production, maintenance or storage of missiles capable of delivering such weapons,

- (b) for a military end use and the purchasing country or country of destination is subject to an arms embargo decided by a Common Position or Joint Action adopted by the Council of the European Union or a decision of the OSCE or imposed by a binding resolution of the Security Council of the United Nations, or
 - (c) for any military end-use;
 - (d) for use as parts or components of military items listed in the national military list that have been exported from the territory of the Member State concerned without authorisation or in violation of an authorisation prescribed by national legislation of that Member State;
- (2) if the exporter is aware that the items in question are intended, in their entirety or in part, for any of the uses referred to in sub-paragraph (1);
 - (3) if the exporter has grounds for suspecting that the items in question are or may be intended, in their entirety or in part, for any of the uses referred to in sub-paragraph (1)(a), unless the exporter has made all reasonable enquiries as to their proposed use and is satisfied that the items will not be so used;
 - (4) to a destination within a Customs Free Zone; or

- (5) if their export is controlled by virtue of any entry in Annex I to the Regulation not specified in Schedule 1; or

Conditions and Requirements

4. The authorisation in paragraph 1 is subject to the following conditions:

- (1) except in the case of an export of technology by telephone, fax or other electronic media, official and commercial export documentation accompanying the items shall include a note stating that "These items are being exported under the Open General Export Licence (Oil and Gas Exploration: Dual-Use Items)" and shall be presented to an officer of HM Revenue and Customs if so requested;

Prohibitions not affected by this Licence

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

Interpretation

6. For the purpose of this Licence:

- (a) "Customs Free Zone" means a part of the territory of a country where any goods introduced are generally

regarded, insofar as import duties and taxes are concerned, as being outside the customs territory of that country, and are not subject to the customs controls that would otherwise apply;

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

Entry into Force

- 7. This Licence comes into force on 23rd April 2007.
- 8. The Open General Export Licence (OIL and GAS Exploration: Dual-Use Items) dated 28th September 2005 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

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

5A001.b.1

5A001.c.2

5A002.a.1

5D001.a (Software for the use of the above listed items)

5D002.a (Software for the use of the above listed items)

5E001.a (Technology for the use (excluding operation) of the above listed items)

5E002 (Technology for the use of the above listed items)

6A001.a.1 (other than headings b.1 and b.6)

6A001.a.2.d

6A001.b

6A006.a

7A002.a

7A003.a

7A005

7A103.a

7D101 (Software for the use of the above listed items)

7E101 (Technology for the use of the above listed items)

8A001.c

8A001.d

8A002.a.3

8A002.c

8A002.e

8A002.f

8A002.i

8C001

8D001

SCHEDULE 2

DESTINATIONS CONCERNED

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

Albania
Algeria
Angola
Argentina
Australian Antarctic Territory
Azerbaijan

Bahamas
Bahrain
Bangladesh
Bermuda
Bolivia
Botswana
Brazil
British Antarctic Territory
British Virgin Islands
Brunei

Cameroon
Chile
China (PRC) (Excluding Special Administrative Regions (SAR))
Colombia
Congo (Republic of)
Croatia
Cuba

Ecuador
Egypt
Equatorial Guinea

Falkland Islands
Faroe Islands

Gabon
Gambia
Georgia
Ghana
Gibraltar

Greenland
Guinea
Guinea-Bissau
Guyana

Hong Kong SAR

Iceland
India
Indonesia
Israel

Jamaica
Jordan
Kazakhstan
Kenya
Korea (South)
Kuwait
Kyrgyzstan

Lebanon
Libya

Macau SAR
Malaysia
Mauritania
Mexico
Morocco
Mozambique

Namibia
Nigeria

Oman

Pakistan
Panama
Papua New Guinea
Peru
Philippines

Qatar

Russia

Saudi Arabia

Senegal

Singapore

South Africa

Sri Lanka

Syria

Tajikistan

Tanzania

Thailand

Trinidad and Tobago

Tunisia

Turkey

Turkmenistan

UAE

Uganda

Ukraine

United Kingdom Continental Shelf

Uzbekistan

Venezuela

Vietnam

Virgin Islands of USA

Yemen

EXPLANATORY NOTE

(This note is not part of the licence)

This licence has been amended following a re assessment of the destinations in Schedule 2 to the licence. The changes are,

- deleting the 7 individually named Emirates that make up the UAE and replacing with the UAE;
- deleting Canary Islands (which comes under Spain), Bulgaria, Cyprus, and Romania which as Members of the EU do not require a licence for dual-use items;
- clarifying the reference to China excludes SARs and adding the separate entry for Macau SAR;
- deleting Norway which is covered by the Community General Export Authorisation (CGEA); and
- deleting Sarawak which is a province of Malaysia.

2. This Open General Export Licence permits, without further authority the export from the United Kingdom, or from any other Member State of the European Community (EC) where the exporter is established in the United Kingdom, to any destination in a country listed in Schedule 2 to the Licence of items specified in Schedule 1 to the Licence . The export is subject to certain conditions including,

- the goods are being exported from the United Kingdom for the purposes of construction tasks or hydrographic surveys in support of oil and gas contracts only.
- the goods must be under the direct control of the exporter or their appointed personnel;
- any loss of equipment must be notified to the DTI;
- no equipment must be sold, gifted or left behind.

3. The Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 ("the Order") contain certain registration and record keeping requirements which apply to persons using this Licence. Under Article 14 of the Order, any person established in the United Kingdom who exports items from the United Kingdom or another Member State under the authority of this Licence must maintain and retain certain records relating to each such export for at least three years from the end of the calendar year in which the export takes place and must permit such records to be inspected and copied by any person authorised by the Secretary of State. Under Article 13(1) of the Order, an exporter who exports items under the authority of this Licence must, before or within 30 days after the first occasion he makes use of the licence, provide details to the Secretary of State of his name and the address where copies of the records referred to above may be inspected. These detail must be sent to the Export Control Organisation, Customer Service and Compliance Unit, DTI, Kingsgate House, 66-74 Victoria Street, London, SW1E 6SW.

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