EXPORT LICENCE

Open General Export Licence (Technology for Military Goods) dated 24th May 2007 granted by the Secretary of State.

The Secretary of State, in exercise of powers conferred by Article 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,

   (A) technology specified in Part A of Schedule 1 hereto, other than any specified in Part B or C thereof, may be exported from the United Kingdom to any destination other than a destination in any country specified in Schedule 2 hereto, and

   (B) technology specified in Part B of Schedule 1 hereto may be exported
   from the United Kingdom to any destination in any country specified in Schedule 3 hereto,

   (C) technology specified in Part C of Schedule 1 **cannot** be exported under this licence.

Exclusions

2. This licence does not authorise the export of technology;

   (1) if the exporter has been informed by a competent authority that the technology is or may be intended, in its entirety or in part, to be used in connection with the development,

[(a)] S.I.2003/2764, as amended

production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons, or other nuclear explosive devices or the development, production, maintenance or storage of missiles capable of delivering such weapons.

(2) if the exporter is aware that the technology is intended, in its entirety or in part, to be used in connection with one of the activities referred to in sub-paragraph (1).

(3) if the exporter has grounds for suspecting that the technology is or maybe intended, in its entirety or in part, for any uses referred to in sub-paragraph (1), unless he has made all reasonable enquiries as to its proposed use and satisfied himself that the technology will not be so used.

(4) to a destination within a Customs Free Zone.

(5) if their export is controlled by virtue of any entry specified in Annex I to Council Regulation (EC) No.1334/2000[(b)] or Schedule 2 to the Order, not specified in Schedule 1.

(6) if the exporter has been informed by a competent authority, or is otherwise aware, (e.g. from information received from the manufacturer), that the technology has been classified by the Ministry of Defence as having a protective marking of CONFIDENTIAL or above, unless:

a. the proposed export has been approved by the Ministry of Defence under F680 or F1686 and a written letter of clearance has been issued under the appropriate procedure; and

[(b)] O.J.L159, 30.6.2000, as amended

(i) the clearance approval is not time expired at the time the export takes place, and

(ii) the "Goods" are identical to those for which the clearance was given; and

b. they are exported in accordance with procedures laid down in the Manual of Protective Security, issued by the Cabinet Office, appropriate to the grading of the material (this includes technology in tangible form).

(7) In the case of intangible technology transfers it is prohibited to export technology with a protective marking Restricted or above **unless:**

i) the transmission medium is protected by approved encryption appropriate to the protective marking of data, and

ii) the exporter holds clearance from a government accreditation authority which can be produced to the Compliance Officer.

Conditions and Requirements

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

(1) before an exporter first exports technology under this licence, he shall have informed the Secretary of State of his intention to export under this Licence, specifying the name of the exporter and the address at which records of their export may be inspected under condition 3(3) below;

(2) Except in the case of an export of technology by telephone, fax or other electronic media, official and commercial export documentation accompanying the technology shall include a note stating that "the technology is being exported under the Open General Export Licence (Technology for Military Goods)" and shall be presented to an officer of HM Revenue and Customs if so requested;

(3) the exporter shall maintain records of every exportation made under this Licence including the following information :

(i) in so far as it is known to him, the name and address of any consignee of the technology, and any person to whom the technology is to be, or has been, delivered;

(ii) his address;

(iii) the date of exportation; and

(iv) a description of the technology exported;

(v) MOD F680 or F1686 clearance letter referred to in 2(6)(a) above (in the case of CONFIDENTIAL “Goods” or above);

and any such records shall be kept for at least four years from the date of the relevant export and the exporter shall permit them to be inspected, and copied, by any person authorised by the Secretary of State;

(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; and

(5) Subject to the provisions of this Licence, Article 14 of the Order shall apply to any export under this Licence.

Prohibitions not affected by this Licence

4. Nothing in this Licence shall affect any prohibition or restriction on the exportation or carrying out of any other act with respect of the exportation of any technology 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) "the Act" means the Export Control Act 2002[(c)];

(b) "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;

(c) 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;

(d) "entry" includes part of an entry;

[(c)] 2002 c.28

(e) “MOD F680 or F1686” procedure is a means by which exporters can become informed of any objections or problems associated with the marketing or supply of particular military technology, and to be advised of the protective security grading of the “Goods” and provide clearance to sub contract or team on projects with overseas companies;

(f) “MANPADS” – Man-Portable Air Defence Systems – surface-to-air missile systems designed to be man-portable and carried and fired by a single individual; and other surface-to air missile systems designed to be operated and fired by more than one individual acting as a crew and portable by several individuals;

(g) “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;

(h) “technology" means any document including blueprints, plans, diagrams, models, formulae, tables, engineering designs or specification, manuals or instructions, necessary for the development, production or use of goods except:

(i) any document the information within which is generally available to the public or relates to basic scientific research;

(ii) any application for the grant of a patent (or any other form of protection for an invention) or for the registration of a design, or a semiconductor topography, in each case under the law of the United Kingdom or of any other country or under any treaty or international convention;

(iii) any document necessary to enable any such application to be filed, made or pursued; and

(iv) Source Code.

(i) unless the context otherwise requires, any other expression used in this Licence shall have the meaning it bears in the Act or in the Order.

Entry into Force

6. This Licence shall come into force on 11th June 2007.

7. The Open General Export Licence (Technology for Military Goods) dated 29 September 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

PART A

Any technology (excluding Source Code) whose export is controlled by ML22 in Part I of Schedule 1 to the Order.

PART B

Technology specified in ML22 which relate to any of the following goods in Part I of Schedule 1 to the Order:

1. Goods falling within entry ML4 as follows:

    a. Electrically driven detonators of exploding bridge, exploding bridge wire, slapper or exploding foil type;

    b. Multipoint detonation systems designed to nearly simultaneously initiate an explosive surface of greater than 5000 mm^2 surface area from a single firing signal, with a timing spread over the surface of less than 2.5 microsecond;

    c. Explosive detonator firing sets designed to drive multiple controlled detonators (of the types listed in items a and b above);

    d. Modular electrical pulse generators which are ruggedised or are designed for portable or mobile use and have all of the following characteristics: are capable of delivering energy in less than
    15 microsecond, output greater than 100 A, rise time of less than 10 microsecond into loads of less than

40 ohms, no dimension greater than 25.4 cm and weigh less than 25 kg;

e. Capacitors with:

i. Voltage rating greater than 1.4 kV, energy storage greater than 10 J, capacitance greater than 0.5 microfarad and series inductance less than 50 nH;

ii. Voltage rating greater than 750 V, capacitance greater than 0.25 microfarad and series inductance less than 10 nH;

f. Cold cathode tubes with three or more electrodes which have all of the following characteristics: an anode peak voltage rating of 2500 V or more, an anode peak current rating of 100 A or more and an anode delay time of 10 microsecond or less;

g. Triggered spark gaps having an anode delay time of 15 microsecond or less and rated for a peak current of 500 A or more;

h. Modules or assemblies with a fast switching function having all of the following characteristics: anode peak voltage rating greater than 2000 V, anode peak current rating of 500 A or more and turn-on time of 1 microsecond or less;

2. Goods falling within entry ML5 insofar as they are for use in connection with rockets or missiles capable of a range of at least 300 km;

3. Goods falling within entry ML6.a insofar as they are for use in connection with rockets or missiles capable of a range of at least 300 km;

4. ML8.a.13.a;
ML8.a.15;
ML8.a.21;
ML8.a.23;
ML8a33;
ML8.c.3;
ML8.c.4;
ML8.c.5;
ML8.c.7;
ML8.c.8;
ML8.d.1;
ML8.d.2;
ML8.d.3;
ML8.d.8;
ML8.d.9;
ML8.d.10;
ML8.e.5;
ML8.e.11;
ML8.e.12
ML8.f.4.b;
ML8.f.11;
ML8.f.13;
ML8.f.17;
ML8.f.20;
ML8.f.21;
ML8.f.22;

5. Goods falling within entry ML10 head d insofar as they are for use in connection with rockets or missiles capable of a range of at least 300 km and components;

6. Goods falling within entry ML11 insofar as they are for use in connection with the following:-

a. 1. Accelerometers with a threshold of 0.05 g or less, or a linearity error within 0.25% of full scale output, or both, which are designed for use in inertial navigation systems of all types;

2. Continuous output accelerometers or gyros of any type, specified to function at acceleration levels greater than 100 g;

3. All types of gyros usable in rockets or missiles capable of a range of at least 300 km with a drift rate stability of less than 0.5 degree (1 sigma or rms) per hour in a 1 g environment;

4. Inertial or other equipment employing accelerometers specified in a.1 or a.2 above or gyros specified in a.2 or a.3 above, and systems incorporating such equipment;

5. Integrated Navigation Systems designed or modified for rockets or missiles and capable of providing a navigational accuracy of 200 m CEP (Circular Error Probable) or less;

6. Precision tracking systems as follows:

a. Tracking systems which use a code translator on a rocket or unmanned airborne vehicle in conjunction with either

surface or airborne references or navigation satellite systems to provide real time measurements of in-flight position and velocity;

b. Range instrumentation radars including associated optical/infrared trackers with all the following capabilities:

1. An angular resolution better than 3 milli-radians (0.5 mils);

2. A range of 30 km or greater with a range resolution better than 10 m rms; and

3. A velocity resolution better than 3 m/s;

7. Telemetering and telecontrol equipment, including ground equipment, designed or modified for unmanned airborne vehicles or rocket systems;

8. Receiving equipment for Global Navigation Satellite Systems (GNSS; e.g., GPS, GLONASS or Galileo), as follows:

a. Designed or modified for airborne applications and having any of the following:

1. Capable of providing navigation information at speeds in excess of 600 m/s (1165 nautical miles/hour);

2. Employing decryption, designed or modified for military or governmental services, to gain access to GNSS secure signal/data; <u>or</u>

3. Being specially designed to employ anti-jam features (e.g., null steering antenna or electronically steerable antenna) to function in an environment of active or passive countermeasures.

9. Analogue-to-digital converter microcircuits, printed circuit boards or modules;

b. Pulse generators, capacitors, cold cathode tubes, triggered spark gaps or fast switching modules or assemblies meeting the specifications given in items 1.d to 1.h inclusive in this part.

7. Goods falling within entry ML15 except head b, designed or modified for use in rockets or missiles capable of a range of at least 300 km.

8. Goods falling within entry ML17 head c insofar as they are for use in connection with the following:-

1. Structural materials and coatings specially designed for reduced radar reflectivity;

2. Coatings, including paints, specially designed for reduced or tailored reflectivity or emissivity in the microwave, infrared or ultraviolet spectra, except when specially designed for thermal control of satellites;

9. Goods falling within entry ML17 head f insofar as they are for use in connection with specially designed databases for analysis of signature recognition;

10. Goods falling within entry ML18 heads a and b insofar as they are for use in connection with items 1; 2; 4; 5 or 6.a.1 to 6.a.5 inclusive in this Part;

11. Goods falling within entry ML21a insofar as they are for use in connection with items 1; 2; 5; 6.a.1 to 6.a.5 inclusive; 7; 8; 9; 10 or 12 in this Part;

12. Goods falling within entry ML12 insofar as they are for use in connection with high-velocity gun systems capable of accelerating projectiles to 2 km/s or greater.

PART C

Technology specified in Part A of this Schedule which relates to any of the following goods in Part I of Schedule 1 to the Order:

1. Goods falling within entry ML4 as follows:

    a. anti-personnel landmines, and specially designed components therefor.

    b. Rockets or missiles capable of a range of at least 300 km;

    c. Components usable in item 1.b. above as follows:

        1. Individual rocket stages;

        2. Reentry vehicles, and components therefor as follows:

            a. Heat shields and components therefor;

            b. Heat sinks and components therefor; or

            c. Electronic equipment for reentry vehicles;

        3. Rocket engines;

4. Thrust vector control systems;

5. Weapon or warhead safing, arming, fuzing and firing;

d. Complete 'MANPADS' systems (with or without missiles, including related launching equipment and rockets) and specially designed components therefore;

e. Missiles for MANPAD systems (including missiles which can be used without modification in other applications).

2. Goods falling within ML10 c. as follows:

Unmanned airborne vehicles (UAVs) and components specially designed or modified for unmanned airborne vehicles.

3. Goods falling within entry ML11, as follows:

a. Guidance sets capable of achieving a system accuracy of 3.33% or less of the range, usable in rockets or missiles capable of a range of at least 300 km;

b. Test equipment for MANPAD systems.

4. Goods falling within entry ML14, as follows:

a. training equipment for MANPAD systems .

5. Goods falling within ML17.f, as follows:

a. Libraries for MANPAD systems.

6. Goods falling within PL5017, as follows

a. equipment and test models for MANPAD systems.

7. Goods falling within ML18, as follows:

a. production equipment for MANPAD systems.

8. Goods falling within entry PL5001.c., d., g., and h.”

SCHEDULE 2

DESTINATIONS CONCERNED

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

All destinations other than in:

Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Burma (Myanmar), Burundi, Croatia, Cuba, Democratic Republic of the Congo, Eritrea, , Ethiopia, Georgia, Indonesia, Iran, Iraq, Ivory Coast, Kazakhstan, Kyrgyzstan, Lebanon, Liberia, Libya, the former Yugoslav Republic of Macedonia, Moldova, Mongolian People's Republic, Namibia, Nepal, Nigeria, North Korea, Pakistan, People's Republic of China (including Hong Kong and Macau Special Administrative Region), Romania, Russian Federation, Rwanda, Serbia and Montenegro, Sierra Leone, Socialist Republic of Vietnam, Somalia, Sudan, Syria, Taiwan, Tajikistan, Tanzania, Turkmenistan, Uganda, Ukraine, Uzbekistan and Zimbabwe.

SCHEDULE 3

DESTINATIONS CONCERNED

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

Australia, Austria, Belgium, Canada, Channel Islands, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Japan, Latvia, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Ireland, Slovenia, Spain, Sweden, Switzerland, United States of America.

EXPLANATORY NOTE

(This Note is not part of the Licence)

1. This licence has been amended by clarifying the requirements needed to export technology under paragraph 2(6)(b) and 2(7); removing source code from the interpretation of technology; revising the exclusions on MANPADS and related equipment in Part C of Schedule 1; and extending the country coverage in Schedule 2 and 3 to the licence. This follows a review of the coverage and scope of the licence.

2. This Open General Export Licence permits, subject to certain conditions, the exportation to any destination other than in any country specified in Schedule 2 to the Licence of technology specified in Part A of Schedule 1, excluding technology specified in Part B or Part C thereof, and the exportation to any destination specified in Schedule 3 of technology specified in Part B of Schedule 1.

3. Where the technology carry a UK protective marking of CONFIDENTIAL or above exports cannot be made under the authority of this licence unless the exporter has approval in writing from the Ministry of Defence.

MOD application forms can be obtained from:

(a) Reference MODF680:

Ministry of Defence
Directorate of Export Services Policy
St. George's Court
2-12 Bloomsbury Way
London WC1A 2SH

(b) <u>Overseas Government site clearances, F1686 and Security Transportation Plan approvals can be obtained from:</u>

Principal Security Advisor
Industrial Security Section
Defence Equipment and Support
Facilities Management Group
Ministry of Defence
DE&S Security Advisers Office
Poplar – 1 # 2005
Abbey Wood
Bristol BS34 8JH
Tel: 0117 913 3677
Fax: 0117 913 0629

4. F1686 Procedure:
This procedure is applicable to List X companies and is laid out in the Cabinet Office Manual of Protective Security (MOPS), Supplement 8, Appendix S8.4. It is properly know as,

"Application to Subcontract or collaborate on protectively marked (Classified) work."

5. Advice on approval for associated technology transfers in intangible form at a protective marking of RESTRICTED or above may be obtained from D DEF SY INFO SY COMSEC, Floor 6 Zone B, Main Building, London SW1A 2HB.

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

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

7. 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. They do not affect the need to obtain other consents that may be
required for the export of particular technology, whether under other statutory provisions (such as the Official Secrets Act 1989) or otherwise (such as under contractual obligations). In addition, this Licence does not extend to prohibitions in other legislation implementing United Nations sanctions.