

EXPORT LICENCE

Open General Export Licence (Chemicals) dated 1 May 2004 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 a 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:
 - (a) any items specified in Part A of Schedule 1 hereto, other than any specified in Part B thereof, may be exported from the United Kingdom, or from any other Member State by any person established in the United Kingdom, to any destination other than a destination in any country specified in Schedule 2 hereto; and

(a) O.J. No. L159 30.6.00 p.1. as last amended by Council Regulation (EC) No. 149/2003 (O.J.No.L30 5.2.03 p.1)

(b) S.I. 2003/2764, as last amended by S.I. 2005/1050

- (b) any items specified in Part B of 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 any country specified in Schedule 3 hereto.

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 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) no shipment shall contain more than 20kg of any items specified in Part A or B of Schedule 1.
 - (2) 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 (Chemicals)" and shall be presented to an officer of HM Customs and Excise if so requested.

Prohibitions not affected by this Licence

*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

Items specified in entry 1C350, (excluding heads 4, 23 and 29), of Annex I to Council Regulation (EC) No. 1334/2000.

PART B

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

1C350 heads 1-3, 5-9, 11-13, 17-19, 21-22, 26-28, 30-36, 38, 46, 51-52 and 54.

1C450

SCHEDULE 2

DESTINATIONS CONCERNED

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

All destinations other than in:

- Afghanistan, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Burma (Myanmar), Burundi, Canada, Croatia, Cyprus, Czech Republic, Denmark, Democratic Republic of the Congo, Estonia, Finland, France, Germany, Greece, Hungary, Iran, Iraq, Ireland, Italy, Japan, Latvia, Liberia, Libya, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Nigeria, North Korea, Norway, People's Republic of China (excluding Hong Kong Special Administrative Region), Poland, Portugal, Rwanda, Serbia and Montenegro, Slovakia, Slovenia, Somalia, Spain, Sweden, Sudan, Switzerland, Syria, Tanzania, Uganda and USA

NOTE:

Exports of items covered by this licence may be made under the authority of the Community General Export Authorisation, subject to conditions and restrictions, to the following destinations:

Australia, Canada, Japan, New Zealand, Norway, Switzerland, USA.

SCHEDULE 3

DESTINATIONS CONCERNED

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

Albania, Algeria, Belarus, Brazil, Bulgaria, Cameroon, Chile, Cook Islands, Costa Rica, Côte d'Ivoire, Ecuador, El Salvador, Ethiopia, Fiji, Georgia, India, Lao People's Democratic Republic, Latvia, Lesotho, Maldives, Mauritius, Mexico, Monaco, Mongolia, Morocco, Namibia, Niger, Oman, Papua New Guinea, Paraguay, Peru, Philippines, Republic of Moldova, Romania, Saint Lucia, Saudi Arabia, Seychelles, South Africa, Sri Lanka, Swaziland, Tajikistan, Turkmenistan, Uruguay and Uzbekistan.

EXPLANATORY NOTE

(This note is not part of the licence)

1. This Open General Export Licence has been amended to refer to new secondary legislation under which the licence has been issued and as a consequence of enlargement of the European Union changes have been made to the country lists in Schedule 2 and 3 to the licence.

2. This Open General Export Licence permits, without further authority but subject to certain conditions, 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 other than one listed in Schedule 2 to the Licence of items specified in Part A of Schedule 1 to the Licence, other than those specified in Part B of that Schedule. Items in Part B of that Schedule may be exported to any destination in Schedule 3. There is a 20kg limit on shipments of items specified in Part A or B of Schedule 1.

3. The Export of Goods, Transfer of Technology and the Provision of Technical Assistance (Control) Order 2003 (“the Order”) contain certain registration and recording 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 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 may be inspected. These details must be sent to the Export Control Organisation, Customer Service and Compliance Unit, DTI, 3rd Floor, Kingsgate House, 66-74 Victoria Street, London SW1E 6SW.

4. If any exporter has already given written notice to the Secretary of State in accordance with Article 13 of the Order he is not required to do the same in respect of this Licence.

5. 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.