



Department for  
International Trade

# Open General Export Licence

Export After Exhibition or Demonstration: Military Goods

March 2023

REVOKED 19 JANUARY 2024

## **Open General Export Licence (Export After Exhibition or Demonstration: Military Goods)**

Dated 01 March 2023 granted by the Secretary of State.

The Secretary of State, in exercise of powers conferred by Articles 26 of the Export Control Order 2008<sup>1</sup> (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 of that Schedule, which have been temporarily imported for the purpose of exhibition or demonstration may be subsequently exported from the United Kingdom to a destination in any country except a destination in a country specified in Schedule 2 providing the goods are being exported:
  - (1) for delivery to the person who sent them to the United Kingdom and to the country from which they were imported; or
  - (2) to the country from where they were originally exported for the purpose exhibition or demonstration, if they have arrived in the United Kingdom from an exhibition or demonstration in a third country; or
  - (3) For subsequent exhibition or demonstration in a third country, except a destination in a country specified in Schedule 2.

### *Exclusions*

2. This licence does not authorise the export of goods:
  - (1) if the exporter has been informed by the Secretary of state that they are or may be intended, in their entirety 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 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 goods are intended, in their entirety or in part, to be used in connection with one of the activities referred to in subparagraph (1);
  - (3) if the exporter has grounds for suspecting that the goods are or may be intended, in their entirety or in part, for any uses referred to in subparagraph (1), unless the exporter has made all reasonable enquiries as to their proposed use and satisfied himself that the goods will not be so used;
  - (4) to a destination within a Customs Free Zone;

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<sup>1</sup> S.I. 2008/3231/as amended

- (5) which in relation to export from:
- a. England, Wales and Scotland, fall within Council Regulation (EC) No 258/2012 of 14 March 2012 implementing Article 10 of the UN Firearms Protocol (EUR 2012/258, as amended).
  - b. Northern Ireland, fall within the scope of Council Regulation (EC) No 258/2012 of 14 March 2012 implementing Article 10 of the UN Firearms Protocol (EUR 2012/258, as amended) and Council Directive 91/477/EEC on the control of the acquisition and possession of weapons (OJ No. L 256, 13.9.1991, p. 51-58, as amended) as those instruments have effect by virtue of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.

### *Conditions*

3. The authorisation in paragraph 1 above is subject to the following conditions:
- a. except in the case of Community goods, any goods imported into the United Kingdom pursuant to this licence shall have been imported;
    - i. under an appropriate Customs temporary importation Procedure; or
    - ii. under an ATA CARNET.
  - b. goods exported pursuant to this licence shall have been imported into the United Kingdom no earlier than two years prior to the date of exportation;
  - c. on exportation of any goods pursuant to this licence, the exporter shall produce to an officer of UK Border Force, if so requested, documentary evidence of the date of importation of the goods into the United Kingdom and that the goods:
    - i. are being returned to the person and country from which they were imported into the United Kingdom; or
    - ii. are being returned to the country from where they were originally exported for the purpose exhibition or demonstration; or
    - iii. are being exported to a third country for further demonstration or exhibition.
  - d. official and commercial export documentation accompanying the goods shall include a note stating that "the goods are being exported under the OGEL (Export After Exhibition or Demonstration: Military Goods)" which shall be presented to an officer of UK Border Force if so requested.
  - e. movement of any goods or technology having a security classification of CONFIDENTIAL for material classified by the UK prior to 2 April 2014 or internationally security classified CONFIDENTIAL equivalent material, or SECRET or above, must be undertaken in accordance with the national security requirements of the originating country.
  - f. the Secretary of State has the power to vary or withdraw export licences at

any time. If you do not use this licence within any 24-month period for an export allowed by this licence, your entitlement to use it will **automatically run out** at the end of that 24-month period and your registration details will be removed from SPIRE. However, you can register for this licence again if you want to use it after your registration has ended.

### *Registration*

4. The requirements of Article 28 of the Order **shall not** apply to any export under this licence.

### *Prohibitions not affected by this licence*

5. 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 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. For the purpose of this licence:
  - a. “cluster munitions” means conventional munitions designed to disperse or release “explosive submunitions”;
  - b. “explosive submunitions” means conventional munitions, weighing less than 20 kilograms each, which in order to perform their task are dispersed or released by another conventional munition and are designed to function by detonation of an explosive charge prior to, on or after impact;
  - c. “explosive bomblets” means conventional munitions, weighing less than 20 kilograms each, which are not self-propelled and which, in order to perform their task, are specially designed to be dispersed or released by a dispenser affixed to an aircraft, and are designed to function by detonating an explosive charge prior to, on or after impact;
  - d. sub paragraphs a. and b. above do not include the following conventional munitions,
    - i. a munition or submunition designed to disperse flares, smoke, pyrotechnics or chaff; or a munition designed exclusively for an air defence role;
    - ii. a munition or submunition designed to produce electrical or electronic effects;
    - iii. a munition that has all of the following characteristics:
      1. each munition contains fewer than ten explosive submunitions;
      2. each explosive submunition weighs more than four kilograms;
      3. each explosive submunition is designed to detect and engage

- a single target object;
  - 4. each explosive submunition is equipped with an electronic self-destruction mechanism;
  - 5. each explosive submunition is equipped with an electronic self-deactivating feature.
- e. "Community goods" means goods originating in the Community, unless they had lost their Community status for example, by being exported from the Community, or goods brought into free circulation by the completion of Community customs formalities and payment of customs duties;
- f. "Customs Free Zone" is a part of the territory of a country where any goods introduced are generally regarded, in so far 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; and
- g. "entry" includes part of an entry;
- h. unless the context otherwise requires, any other expression used in this licence shall have the meaning it bears in the Export Control Act 2002<sup>2</sup> or in the Order.

*Entry into force*

- 7. This licence shall come into force on 01 March 2023.
- 8. The Open General Export Licence (Export After Exhibition or Demonstration: Military Goods) dated 31 December 2020 is hereby revoked.

**An Official of the Department for Business and Trade authorised to act on behalf of the Secretary of State**

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<sup>2</sup> 2002 c.28

## **SCHEDULE 1 GOODS CONCERNED**

### **PART A**

Any goods specified in Part 1 of Schedule 2 to the Order.

### **PART B**

1. Goods falling within entry ML3 as follows:
  - (i) Cluster munitions, explosive submunitions, and specially designed components therefor.
2. Goods falling within entry ML4 as follows:
  - (i) Anti-personnel landmines and specially designed components therefor;
  - (2)
    - (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 5000mm<sup>2</sup> 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 (2)(a) and (2)(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 100A, rise time less than 10 microsecond into loads of less than 40 ohms, no dimension greater than 25.4cm and weigh less than 25kg;
    - (e) Capacitors with:
      - (i) Voltage rating greater than 1.4kV, energy storage greater than 10J, capacitance greater than 0.5 microfarad and series inductance less than 50nH;
      - (ii) Voltage rating greater than 750V, capacitance greater than 0.25 microfarad and series inductance less than 10nH;
    - (f) Cold cathode tubes with three or more electrodes which have all of the following characteristics: an anode peak voltage rating of 2500V or more, an anode peak current rating of 100A 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 500A or more;

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

- (3) Cluster munitions and specially designed components therefor;
- (4) Explosive bomblets and specially designed components therefor;
- (5) Explosive submunitions and specially designed components therefor;

3. ML8.a. Explosive co-crystals

ML8.a.12;

ML8.a.13;

ML8.a.15;

ML8.a.21;

ML8.a.23;

ML8.a.33;

ML8.a.35;

ML8.a.36;

ML8.a.37;

ML8.a.38;

ML8.a.39;

ML8.a.40;

ML8.a.41;

ML8.a.42;

ML8.a.43;

ML8.c.5;

ML8.h;

4. Pulse generators, switching modules or assemblies specified in entry ML11 meeting the specifications given in items 2(2)(d) to 2(2)(h) of Part B of this Schedule;

5. Goods falling within ML11 insofar as they are for use in connection with cluster munitions, explosive submunitions and explosive bomblets;

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

7. Goods falling within ML16 insofar as they are for use in connection with cluster munitions, explosive submunitions and explosive bomblets.

8. Goods falling within ML17.n insofar as they are for use in connection with cluster munitions, explosive submunitions and explosive bomblets;

9. Goods falling within entry PL5001 c. and f.;

10. Technology, equipment and software specified in entries ML22, ML18 or ML21, related to equipment specified in 1 to 9 of Part B of this Schedule.

## **SCHEDULE 2 DESTINATIONS CONCERNED**

**This export authorisation is valid for exports to all destinations except:**

Afghanistan, Angola, Argentina, Armenia, Azerbaijan, Bahrain, Belarus, Bosnia and Herzegovina, Burundi, Central African Republic, China (including Hong Kong and Macau Special Administrative Region), Democratic Republic of the Congo, Egypt, Eritrea, Ethiopia, Guinea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, , Myanmar (Burma), Montenegro, North Macedonia, Nigeria, North Korea, Occupied Palestinian Territories, Russia, Rwanda, Saudi Arabia, Serbia, Sierra Leone, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Tanzania, Uganda, United Arab Emirates, Uzbekistan, Venezuela, Yemen and Zimbabwe.

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## EXPLANATORY NOTE

(This note is not part of the licence)

1. This Open General Export Licence has been revised to take into account changes to the military list.
2. This Open General Export Licence permits, without further authority but subject to the licence conditions, exportation of goods specified in Schedule 1 Part A. These goods can be exported to any destination, except a destination in any country specified in Schedule 2 to the licence, if they have been temporarily imported into the United Kingdom for exhibition or demonstration purposes only.
3. It is a condition of this licence that goods being exported under the terms of this licence shall have been imported into the UK no earlier than two years before the date of exportation.
4. It is also a requirement of this licence that the exporter shall produce to an officer of UK Border Force, if so requested, documentary evidence of the date of importation of the goods into the UK.
5. The documentary evidence referred to in Condition 3c in relation to the onward movement of the goods could, for example take the form of an official letter from the company accompanied by relevant shipping documentation such as a CARNET or Freight forwarder bills/invoices related to the import and export movements.
6. Under para 3(e) of this licence, exporters exporting goods or technology carrying a security grading of CONFIDENTIAL for material classified by the UK prior to 2 April 2014 or internationally security classified CONFIDENTIAL equivalent material, or SECRET or above, must ensure that the national requirements for transportation of goods at that classification are addressed and they are able to provide proof that transportation plans have been approved by the relevant authorities in the originating and receiving country.
7. Further advice can be obtained from:  
  
Defence Equipment & Support (DE&S) Principal Security Advisor  
Security Advice Centre Poplar - 1  
MOD Abbey Wood Bristol,  
BS34 8JH  
Tel: 030 67934378  
Fax: 030 67934925  
e-mail: [desinfra-securityadvicecentre@mod.uk](mailto:desinfra-securityadvicecentre@mod.uk)
8. The licence does not permit exportation of any goods which:
  - i. in relation to export from England, Wales and Scotland, fall within Council Regulation (EC) No 258/2012 of 14 March 2012 implementing Article 10 of the UN Firearms Protocol (EUR 2012/258, as amended).
  - ii. in relation to export from Northern Ireland, fall within the scope of Council Regulation (EC) No 258/2012 of 14 March 2012 implementing Article 10 of the UN Firearms Protocol (EUR 2012/258, as amended) and Council Directive 91/477/EEC on the control of the acquisition and possession of

weapons (OJ No. L 256, 13.9.1991, p. 51-58, as amended) as those instruments have effect by virtue of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.

9. This licence does not extend to any prohibition under legislation other than the Export Control Order 2008: in particular it does not extend to prohibitions in other legislation implementing United Nations sanctions.

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