

EXPORT LICENCE

Open General Export Licence (PCBs and Components for military goods) dated 14 April 2016, granted by the Secretary of State.

The Secretary of State, in exercise of powers conferred by article 26 of the Export Control Order 2008^(a) ("the Order"), hereby grants the following Open General Export Licence:

Licence

1. Subject to the following provisions of this Licence, items specified in Schedule 1 may be exported from the United Kingdom to any destination 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 sub-paragraph (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 sub-paragraph (1) above, unless he has made all reasonable enquiries as to their proposed use and satisfied himself that the goods will not be so used;

^(a) S.I. 2008/3231
Export Licence 23

- (4) Except in the case of an export of technology by telephone, fax or other electronic media, to a destination within a Customs Free Zone;
- (5) where the exporter has, at the time of export, been served with a notice which suspends or revokes his ability to use this Licence pursuant to article 32(1) of the Order, unless the period of suspension or revocation has expired.
- (6) where the exporter has been informed, or is otherwise aware, that the goods have a security classification of OFFICIAL-SENSITIVE or above (including UK material classified RESTRICTED or above, graded prior to 2 April 2014, and internationally security classified material).

Conditions and Requirements

3. The authorisation in paragraph 1 is subject to the following conditions:
 - (1) Except in the case of a transfer of technology by telephone, fax or other electronic media, official and commercial export documentation accompanying the goods shall include a note stating either:
 - (a) "the goods are being exported under the OGEL (PCBs and Components for military goods)"; or
 - (b) the SPIRE reference (in the form 'SPIRE reference GBOGE 20XX/XXXXX') of the exporter's registration in respect of this licence,

which shall be presented to an officer of UK Border Force if so requested;
 - (2) the requirements of Article 28 of the Order **shall** apply to any

export under this Licence.

- (4) You must keep records of each export or transfer made under this licence as set out in article 29 of the Order.
- (5) You must complete, in full, the pre-visit questionnaire (PVQ) which you receive before an audit visit by the ECO and return it by the date given in the letter that came with it.
- (6) Where the exporter has received a warning letter sent on behalf of the Secretary of State which identifies failure to comply with this Licence or a provision of applicable export control legislation, the exporter shall take such steps as are identified in that warning letter (within the timescale stated) in order to restore compliance with the Licence. Without prejudice to article 34 of the Order, failure to comply with this condition may result in this Licence being revoked or suspended until the exporter can show compliance to the satisfaction of the Export Control Organisation. The exporter will be notified in writing of any such suspension or revocation and the initial period of such suspension or revocation. Where at the end of this initial period, the exporter has not shown compliance to the satisfaction of the Export Control Organisation, the period of suspension or revocation may be extended. The exporter will be notified of such an extension in writing.
- (7) 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.

- (8) You **must** update the 'Open licensing returns' within SPIRE, for **all** exports or trade carried out within each calendar year. You **must** update the returns by the last day of the following January at the latest (for example, you would need to update the January to December returns by the end of the following January) and include **all** the information required. You do **not** have to report on technology transfers.

Prohibitions not affected by this Licence

4. 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

5. In this Licence:

1. 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;
2. "entry" includes part of an entry; and
3. 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.

^(a) O.J. No. L134, 29.5.2009

^(b) 2002 c.28

Entry into Force

7. This Licence shall come into force on 14 April 2016.

**An official of the Department for Business,
Innovation and Skills authorised
to act on behalf of the Secretary of State**

SCHEDULE 1

GOODS CONCERNED

Unpopulated (i.e. bare) printed circuit boards, connectors, wiring looms and harnesses, fasteners (e.g. screws, bolts, nuts, nut plates, studs, inserts, clips, rivets, pins), washers, spacers, insulators, grommets, bushing, springs, cable, and wire, specified in the following entries in Schedule 2 to the Order:

ML5;

ML6;

ML9;

ML10 other than any items relating to unmanned aerial vehicles (UAVs) and unmanned lighter-than-air-vehicles;

ML11 other than:

- (i) any goods relating to entries not specified in this Schedule (e.g. components for test equipment for missiles);
- (ii) Components for 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;

ML15d;

ML22 Technology as it relates to goods specified in this Schedule

SCHEDULE 2

DESTINATION CONCERNED

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

All destinations other than in:

Afghanistan, Argentina, Armenia, Azerbaijan, Belarus, Burma (Myanmar), Central African Republic, Democratic Republic of Congo, Eritrea, Iran, Iraq, Ivory Coast, Lebanon, Liberia, Libya, North Korea, Pakistan, People's Republic of China, Russian Federation, Somalia, South Sudan, Sudan, Syria, Yemen and Zimbabwe

EXPLANATORY NOTE

(This note is not part of the licence)

1. This Open General Export Licence permits, without further authority but subject to certain conditions, the export from the United Kingdom to any destination other than one listed in Schedule 2 to the Licence of items specified in Schedule 1 to the Licence.
2. The Export Control Order 2008 (“the Order”) contains certain registration and record keeping requirements which apply to persons using this Licence.
 - (a) Under Article 28 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. This notification must be made via the Export Control Organisation’s electronic licensing system, SPIRE, at www.spire.bis.gov.uk
 - (b) Under Article 29 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.
3. The Secretary of State has the power to suspend or revoke licences at any time and in such circumstances and on such terms as he thinks fit. If an exporter receives written notice to this effect, he will be prevented from relying on this Licence. The power to suspend may be used in addition to criminal prosecution or as an alternative. Suspension may occur for example where an exporter is being investigated or prosecuted in relation to a possible criminal offence, or has been found guilty of a criminal offence under the export control legislation. It may also be used in situations where an exporter has breached the conditions of the Licence and failed to take corrective action within a reasonable period (see condition 3(6)).
4. Where the ECO identifies failures in compliance with licence conditions or the legislation during a compliance visit the ECO may send a warning letter to the

exporter listing the improvements that need to be made to ensure compliance. The letter will set out the timeframe within which these improvements must be completed. Failure to complete these improvements may lead to the exporter's ability to use the licence being suspended for a period of time.

5. The exporter may apply for Standard Individual Export Licences during the period of suspension. Suspension will not automatically prevent him from using another OGEL so long as he meets all its terms and conditions and that he has not received a letter suspending or revoking his ability to use that licence.

© Crown copyright 2016

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence.

Visit: www.nationalarchives.gov.uk/doc/open-government-licence, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

This publication available from www.gov.uk/bis

Any enquiries regarding this publication should be sent to: Department for Business, Innovation and Skills

1 Victoria Street London SW1H 0ET Tel: 020 7215 5000

If you require this publication in an alternative format, email enquiries@bis.gsi.gov.uk, or call 020 7215 5000.

BIS/16/153