

Export Controls and Licences (Military and Dual Use) Factsheet

What are export controls and licences?

A wide range of goods for export require a licence, including many seemingly harmless items. Controls are in place to ensure the UK meets its global treaty obligations and is not involved in trading goods which could harm global stability or British foreign policy aims. Export control is a highly important area of customs. Breaches fall within the scope of criminal prosecution, with the worst examples risking both significant financial penalty and imprisonment.

Types of activities subject to control

Export: The movement of a 'listed' item out of the customs territory requires an export licence.

Transshipments: Controlled goods transported through the customs territory of the union are subject to specific licencing requirements.

Trade/Brokering: Movement of controlled goods between countries outside of the customs territory are subject to licencing.

Post 1 January 2021 Considerations

Currently most goods (there are a few exceptions) dispatched from the UK to a European destination do not require an export licence.

From 1 January 2021, UK sales to Europe will be exports and subject to the UK Export Control regulations in full. You will need to check whether an export licence will be required.

Licences

The licence required depends on the transaction. They are split into three main categories:

1. **Open general licences** - for less restricted goods
2. **Standard individual export licences** - for the export of specific items to a specific destination and end user.
3. **Open individual export licences** - permitting multiple shipments of specific goods to multiple destinations.

Licences are granted and administered by the Export Control Joint Unit. They can also apply to 'Technology' relating to the operation and production of controlled goods (for example, plans and operating manuals). The controls extend to digital transmission.

If you are facilitating trade of a controlled good, special Trade Control licences may be required, even if the goods never enter the UK.

When completing a customs declaration at export, a statement/code must appear to either give a licence identification number or make a positive statement that no licence is required. Mis-declaring is a criminal offence.



Export license controls

Controlled exports can be split into two main groups:

1. *Goods where the destination is under embargo or sanction*
2. *Goods for military use or civilian goods that may be used in that area (military and dual use aka strategic goods)*

Items subject to an embargo or sanction will be shown on the export Tab of the Online UK Tariff.

The list of controlled strategic (military and dual use) items is consolidated into a single document produced by the Department for International Trade.

If your goods will be put to any kind of military application or you are unsure why you have been asked to act as a seemingly meaningless intermediary - you should consult with the Export Control Joint Unit to establish if a licence is necessary before you proceed with the transaction.

Dual use?

Dual Use goods encompass products and technologies marketed for civilian purposes, but may also have a military application.

They can range from raw materials (e.g. some aluminium alloys), to components (e.g. specific types of bearings) to complete systems (e.g. lasers). Controlled goods may also be items used for the production or development of military goods.

The dual use list covers the following sectors:

- *Nuclear materials*
- *Materials, chemicals, 'micro-organisms' and 'toxins'*
- *Materials processing*
- *Electronics*
- *Computers*
- *Telecommunications and information security*
- *Sensors and lasers*
- *Navigation and avionics*
- *Marine*
- *Aerospace and propulsion*

Where to apply?

All licence applications are made electronically using the government central licencing system: SPIRE. This system is due to be replaced by LITE in due course.

