NOTICES FROM MEMBER STATES

Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items [1]: Information on measures adopted by Member States in conformity with Articles 4, 5, 6, 8, 9, 10, 17 and 22

(2020/C 16/04)

Articles 5, 6, 8, 9, 10, 17 and 22 of Council Regulation (EC) No 428/2009 (hereunder "the Regulation") set out that measures taken by Member States in implementation of the Regulation should be published in the *Official Journal of the European Union*.

Furthermore, the Commission and the Member States have decided to also publish additional information on measures imposed by Member States under Article 4 in order to ensure that exporters have access to comprehensive information on the controls applicable throughout the EU.

1. INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 4(5) OF THE REGULATION (AUTHORISATION REQUIREMENT ON THE EXPORT OF DUAL-USE ITEMS NOT LISTED IN ANNEX I)

A Member State may, in application of Article 4(5), extend the application of Article 4(1) to non-listed dual-use items, if the exporter has grounds for suspecting that those items are or may be intended for any of the uses referred to in Article 4(1).

Article 4(6) of the Regulation requires Member States which impose an authorisation requirement, in application of Article 4(5), on the export of dual-use items not listed in Annex I, to inform, where appropriate, the other Member States and the Commission. The table below provides an overview of the measures taken by Member States that have been notified to the Commission. The detailed measures as notified to the Commission are set out immediately thereafter.

Member State	Has the Member State adopted national legislation imposing authorisation requirements in application of Article 4(5)?
BELGIUM	Partially YES
BULGARIA	NO
CZECH REPUBLIC	NO
DENMARK	NO
GERMANY	NO
ESTONIA	NO
IRELAND	YES
GREECE	NO
SPAIN	NO
FRANCE	NO
CROATIA	NO
ITALY	NO

[1] OJ L 134, 29.5.2009, p. 1.

Member State	Has the Member State adopted national legislation imposing authorisation requirements in application of Article 4(5)?
CYPRUS	NO
LATVIA	NO
LITHUANIA	NO
LUXEMBOURG	YES
HUNGARY	YES
MALTA	NO
NETHERLANDS	NO
AUSTRIA	YES
POLAND	NO
PORTUGAL	NO
ROMANIA	NO
SLOVENIA	NO
SLOVAKIA	NO
FINLAND	YES
SWEDEN	NO
UNITED KINGDOM	YES

1.1. **Belgium**

An export authorisation shall be required, in the Flemish Region and the Walloon Region, for the export of non-listed dual-use items where an exporter has grounds for suspecting that those items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1).

(Article 5 of the Flemish Government Decree of 14 March 2014 regulating export, transit and transfer of dual-use items and the delivery of technical assistance (Belgian Official Gazette of 2 May 2014); Article 4 of the Walloon Government Decree of 6 February 2014 regulating export, transit and transfer of dual-use items and technology (Belgian Official Gazette of 19.02.2014)).

1.2. **Ireland**

An export authorisation shall be required for the export of non-listed dual-use items where an exporter has grounds for suspecting that those items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1).

(Regulation 7 of the Control of Exports (Dual Use Items) Order 2009 (S.I. No. 443 of 2009)).

1.3. **Luxembourg**

An export authorisation shall be required for the export of non-listed dual-use items where an exporter has grounds for suspecting that those items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1).

(Law of 27 June 2018 on export control, Article 45(1)).

1.4. **Hungary**

An export authorisation shall be required for the export of non-listed dual-use items where an exporter has grounds for suspecting that those items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1).

(Para. 7. of Government Decree No 13 of 2011 on 'the foreign trade authorisation of dual-use items')

1.5. **Austria**

An export authorisation shall be required for the export of non-listed dual-use items where an exporter has grounds for suspecting that those items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1).

(Article 5 of the 2011 First Foreign Trade Regulation (Erste Außenwirtschaftsverordnung 2011), BGBl. II Nr. 343/2011, published on 28 October 2011).

1.6. **Finland**

An export authorisation shall be required for the export of non-listed dual-use items where an exporter has grounds for suspecting that those items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1).

(Par. 4(4) of law 562/1996)

1.7. **United Kingdom**

An export authorisation shall be required for the export of non-listed dual-use items where an exporter has grounds for suspicion that those items are or may be intended, in their entirety or part, for any of the uses referred to in Article 4(1).

(Article 6(1), 6(2) and 26 of The Export Control Order 2008 (S.I.2008/3231)).

2. **INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 5(2) OF THE REGULATION (EXTENSION OF BROKERING CONTROLS)**

Article 5(2) in conjunction with Article 5(4) of the Regulation requires the Commission to publish measures taken by Member States to extend the application of Article 5(1) to non-listed dual-use items for uses referred to in Article 4(1) and to dual-use items for military end use and destinations referred to in Article 4(2).

The table below provides an overview of the measures taken by Member States that have been notified to the Commission. The detailed measures as notified to the Commission are set out immediately thereafter.

Member State	Has the application of brokering controls set out in Article 5(1) been extended in relation with Article 5(2)?
BELGIUM	NO
BULGARIA	YES
CZECH REPUBLIC	YES
DENMARK	NO
GERMANY	NO
ESTONIA	YES
IRELAND	YES
GREECE	YES
SPAIN	YES
FRANCE	NO
CROATIA	YES
ITALY	YES
CYPRUS	NO
LATVIA	YES
LITHUANIA	NO

Member State	Has the application of brokering controls set out in Article 5(1) been extended in relation with Article 5(2)?
LUXEMBOURG	YES
HUNGARY	YES
MALTA	NO
NETHERLANDS	YES
AUSTRIA	YES
POLAND	NO
PORTUGAL	NO
ROMANIA	YES
SLOVENIA	NO
SLOVAKIA	NO
FINLAND	YES
SWEDEN	NO
UNITED KINGDOM	NO

2.1. **Bulgaria**

An authorisation shall be required for the brokering of dual-use items listed in Annex I of the Regulation, when the items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(2) of the Regulation, and not listed in Annex I of the Regulation, when the items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1) of the Regulation.

(Article 34, par. 4 of the Defence-Related Products and Dual-Use Items and Technologies Export Control Act, State Gazette No. 26/29.03.2011, effective 30.06.2012).

2.2. **Czech Republic**

An authorisation shall be required for the brokering of dual-use items if the competent authority informs the broker that dual-use items not listed in Annex I of the Regulation are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1) of the Regulation, or that dual-use items are or may be intended, in their entirety or in part, for military end-uses referred to in Article 4(2) of the Regulation.

(Paragraph 3 of Act No 594/2004 Coll. 'Implementing the European Community Regime for the Control of Exports, Transfer, Brokering, and Transit of Dual-Use Items (as amended)).

2.3. **Estonia**

An authorisation shall be required for the brokering of dual-use items which have characteristics of strategic goods because of their end-use or end-user, public security or human rights consideration, although they have not been entered in the list of strategic goods.

(Paragraph 6 (7) of the Strategic Good Act).

2.4. **Ireland**

An authorisation shall be required for the brokering of dual-use items not listed in Annex I of the Regulation, when the items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1) of the Regulation and for dual-use items for military end-uses and destinations referred to in Article 4(2) of the Regulation,

(Sections 8 (a) and (b) of Statutory Instrument 443 of 2009, Control of Exports (Dual-Use Items) Order 2009, as amended).

2.5. **Greece**

An authorisation shall be required for the brokering of dual-use items, when the items are or may be intended, in their entirety or in part, for military end-uses and destinations referred to in Article 4(2) of the Regulation.

(Paragraph 3.2.3 of 'Ministerial Decision No 121837/e3/21837/28-9-2009').

2.6. **Spain**

An authorisation shall be required for the brokering of dual-use items not listed in Annex I of the regulation, when the items are or may be intended, in their entirety or in part, for any of the uses and destinations referred to in Article 4(1) and 4(2) of the Regulation.

(Article 2.3.a).6 and 2.3.b) of the Royal Decree 679/2014, of 1 August 2014 on the control of external trade in defence material, other material and dual-use goods and technologies).

2.7. **Croatia**

An authorisation shall be required for the brokering of dual-use items not listed in Annex I of the Regulation, if the competent authority informs the broker that dual-use items are or may be, in their entirety or in part, intended for any of the uses referred to in Article 4(1) and 4(2) of the Regulation.

(Act on Control of dual-use items (OG 80/11 i 68/2013)).

2.8. **Italy**

An authorisation shall be required for the brokering of dual-use items not listed in Annex I of the Regulation, when the items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1) or 4(2) of the Regulation;

(Article 9 of Legislative Decree n° 221/2017 of 15 December 2017, in force since 1 February 2018).

2.9. **Latvia**

In accordance with the Latvian Law on the Circulation of Strategic Goods, all brokering transactions for dual-use items are controlled, regardless of their use.

(Art 5 (7) of the Law on the Circulation of Strategic Goods of 21 June 2007)

2.10. **Luxembourg**

An authorisation shall be required for the brokering of dual-use items not listed in Annex I of the Regulation, when the items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4 (1) of the Regulation, and for military end-uses and destinations as referred to in Article 4 (2) of the Regulation.

(Law of 27 June 2018 on export control, Article 42(1)).

2.11. **Hungary**

An authorisation shall be required for the brokering of dual-use items listed in Annex I of the Regulation, when the items are or may be intended for military end use and destinations referred to in Article 4(2) of the Regulation, and for dual use items not listed in Annex I of the Regulation, when the items are or may be intended for any of the uses referred to in Article 4(1) and (2) of the Regulation.

(Par. 17.1 of Government Decree No 13 of 2011 on 'the foreign trade authorisation of dual-use items').

2.12. **Netherlands**

An authorisation shall be required for the brokering of dual-use items not listed in Annex I of the Regulation, when the items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1) of the Regulation and for dual-use items, when the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2) of the Regulation.

(Strategic Services Act - Wet strategische diensten).

An authorisation shall also be required for the brokering of 37 chemical substances when the destination is Iraq, regardless of the specific consignee or end-user.

(Decree Goods for Dual-Use Iraq - Regeling goederen voor tweeërlei gebruik Irak).

2.13. **Austria**

An authorisation shall be required for the brokering of dual-use items if the competent authority notifies the broker that the items in question are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1) and 4(2) of the Regulation.

(Article 15.1 of the Foreign Trade Act (Außenwirtschaftsgesetz 2011, BGBl. I Nr. 26/2011)).

2.14. **Romania**

An authorisation shall be required for the brokering of dual-use items not listed in Annex I of the Regulation if the items in question are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(1) and 4(2) of the Regulation.

(Article 14(2) of the Emergency Order No 119 of 23 December 2010 (GEO No 119/2010) on the 'control regime for operations concerning dual-use items').

2.15. **Finland**

An authorisation shall be required for the brokering of dual-use items listed in Annex I of the Regulation, if the broker has been notified by the competent authority that the items are or may be intended, in their entirety or in part, for any of the uses referred to in Article 4(2) of the Regulation, and for the brokering of dual-use items not listed in Annex I of the Regulation, if the broker has been notified by the competent authority that the items are or may be intended in their entirety or in part, for any of the uses referred to in Article 4(1) of that Regulation

(Paragraphs 3(2) and 4(1) of Law 562/1996).

3. **INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 5(3) OF THE REGULATION (EXTENSION OF BROKERING CONTROLS)**

Article 5(3) in conjunction with Article 5(4) of the Regulation requires the Commission to publish measures taken by Member States imposing an authorisation requirement on the brokering of dual-use items, if the broker has grounds for suspecting that these items are or may be intended for any of the uses referred to in Article 4(1).

The table below provides an overview of the measures taken by Member States and that have been notified to the Commission. The detailed measures as notified to the Commission are set out immediately thereafter.

Member State	Have brokering controls been extended in relation with Article 5(3)?
BELGIUM	NO
BULGARIA	YES
CZECH REPUBLIC	YES
DENMARK	NO
GERMANY	NO
ESTONIA	YES

Member State	Have brokering controls been extended in relation with Article 5(3)?
IRELAND	YES
GREECE	YES
SPAIN	YES
FRANCE	NO
CROATIA	YES
ITALY	YES
CYPRUS	NO
LATVIA	YES
LITHUANIA	NO
LUXEMBOURG	YES
HUNGARY	YES
MALTA	NO
NETHERLANDS	YES
AUSTRIA	YES
POLAND	NO
PORTUGAL	NO
ROMANIA	YES
SLOVENIA	NO
SLOVAKIA	NO
FINLAND	YES
SWEDEN	NO
UNITED KINGDOM	NO

3.1. **Bulgaria**

An authorisation shall be required for the brokering of dual-use items if the broker has grounds for suspecting that the items are or may be intended for any of the uses referred to in Article 4(1) of the Regulation.

(Article 47 of the Defence-Related Products and Dual-Use Items and Technologies Export Control Act (Promulgated, State Gazette No. 26/29.03.2011)).

3.2. **Czech Republic**

If a broker has grounds for suspecting that dual-use items are or may be intended for any of the uses referred to in Article 4(1) of the Regulation, the broker shall notify the competent authority, which may decide to impose an authorisation requirement.

(Par. 3(4) of the Act No 594/2004 Coll. 'Implementing the European Community Regime for the Control of Exports, Transfer, Brokering, and Transit of Dual-Use Items').

3.3. **Estonia**

If a broker has grounds for suspecting that dual-use items are or may be intended for any of the uses referred to in Article 4(1) of the Regulation, the broker shall notify the Strategic Goods Commission (SGC), police authorities or security authorities immediately thereof. After such notification, the SGC may decide to impose an authorisation requirement.

(Par. 77 of the Strategic Goods Act).

3.4. **Ireland**

An authorisation shall be required for the brokering of dual-use items if the broker has grounds for suspecting that the items are or may be intended for any of the uses referred to in Article 4(1) of the Regulation.

(Section 9 of Statutory Instrument 443 of 2009, Control of Exports (Dual-Use Items) Order 2009).

3.5. **Greece**

An authorisation shall be required for the brokering of dual-use items if the broker has grounds for suspecting that the items are or may be intended for any of the uses referred to in Article 4(1) of the Regulation.

(Par. 3.2.2 of the Ministerial Decision No 121837/e3/21837/28-9-2009).

3.6. **Spain**

If a broker has grounds for suspecting that the dual-use items not listed in Annex I of the Regulation, for which he proposes brokering services, are or may be intended, in their entirety or in part, for any of the uses and destinations referred to in Article 4(1) and 4(2), he must notify the competent authority, which will decide whether or not such brokering services are subject to authorisation.

(Article 2.3.c) of the Royal Decree 679/2014, of 1 August 2014 on the control of external trade in defence material, other material and dual-use goods and technologies).

3.7. **Croatia**

If a broker has grounds for suspecting that dual-use items not listed in Annex I of the Regulation, are or may be intended for any of the uses referred to in Article 4(1) and 4(2) of the Regulation, the broker shall notify the competent authority, which may decide to impose an authorisation requirement.

(Par. 3 of the Act on Control of dual-use items (OG 80/11 i 68/2013)).

3.8. **Italy**

An authorisation shall be required for the brokering of dual-use items not listed in Annex I of the Regulation if the broker has grounds for suspecting that the items are or may be intended for any of the uses referred to in Article 4 (1) of the Regulation.

(Article 9 of Legislative Decree n° 221/2017 of 15 December 2017, in force since 1 February 2018).

3.9. **Latvia**

In accordance with the Latvian Law on the Circulation of Strategic Goods, all brokering transactions for dual-use items are controlled regardless of their use.

(Art 5 (7) of the Law on the Circulation of Strategic Goods of 21 June 2007)

3.10. **Luxembourg**

An authorisation shall be required for the brokering of dual-use items not listed in Annex I of the Regulation if the broker has grounds for suspecting that the items are or may be intended for any of the uses referred to in Article 4 (1) of the Regulation.

(Law of 27 June 2018 on export control, Article 42(2)).

3.11. **Hungary**

An authorisation shall be required for the brokering of dual-use items if the broker has grounds for suspecting that the items are or may be intended for any of the uses referred to in Article 4(1) of the Regulation.

(Par. 17 (2) of Government Decree No 13 of 2011 'on the foreign trade authorisation of dual-use items).

3.12. **Netherlands**

An authorisation shall be required for the brokering of listed dual-use items when the items are or may be intended for any of the uses referred to in Article 4(1) of the Regulation.

(Article 4a(5) of the Strategic Services Act - Wet strategische diensten).

3.13. **Austria**

If a broker has grounds for suspecting that dual-use items, are or may be intended for any of the uses referred to in Article 4(1) of the Regulation, the broker shall notify the competent authority, which may decide to impose an authorisation requirement.

(Article 5 of the 2011 First Foreign Trade Regulation (Erste Außenwirtschaftsverordnung 2011), BGBl. II Nr. 343/2011, published on 28 October 2011).

3.14. **Romania**

An authorisation shall be required for the brokering of dual-use items if the broker has grounds for suspecting that the items are or may be intended for any of the uses referred to in Article 4(1) of the Regulation.

(Par. 3 of Article 14 of the Emergency Order No 119 of 23 December 2010 (GEO No 119/2010) on the control regime for operations concerning dual-use items).

3.15. **Finland**

If a broker has grounds for suspecting that dual-use items are or may be intended for any of the uses referred to in Article 4(1) of the Regulation, the broker shall notify the competent authority, which may decide to impose an authorisation requirement.

(Par.3.2, 4.4 of law 562/1996).

4. **INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 6(2) OF THE REGULATION (EXTENSION OF TRANSIT CONTROLS)**

Article 6(2) in conjunction with Article 6(4) of the Regulation requires the Commission to publish measures taken by Member States empowering their competent authorities to impose in individual cases an authorisation requirement for the specific transit of dual-use items listed in Annex I if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The table below provides an overview of the measures taken by Member States, as notified to the Commission. Details on the measures are provided thereafter.

Member State	Have the transit control provisions of Article 6(1) been extended in relation with Article 6(2)?
BELGIUM	Partly YES
BULGARIA	YES
CZECH REPUBLIC	NO
DENMARK	NO
GERMANY	YES
ESTONIA	YES
IRELAND	YES
GREECE	YES
SPAIN	NO
FRANCE	NO
CROATIA	YES
ITALY	YES
CYPRUS	NO

Member State	Have the transit control provisions of Article 6(1) been extended in relation with Article 6(2)?
LATVIA	NO
LITHUANIA	NO
LUXEMBOURG	YES
HUNGARY	YES
MALTA	NO
NETHERLANDS	NO
AUSTRIA	YES
POLAND	NO
PORTUGAL	NO
ROMANIA	YES
SLOVENIA	NO
SLOVAKIA	NO
FINLAND	YES
SWEDEN	NO
UNITED KINGDOM	YES

4.1. **Belgium**

An authorisation for transit of listed dual-use items may be required, in the Flemish Region and the Walloon Region, when the authority informs the intermediary or when the intermediary has reasonable grounds to suspect that the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Article 6 and 7 of the Flemish Government Decree of 14 March 2014 regulating export, transit and transfer of dual-use and the delivery of technical assistance (Belgian Official Gazette of 02.05.2014); Article 5 and 6 of the Walloon Government Decree of 6 February 2014 regulating export, transit and transfer of dual-use items and technology (Belgian Official Gazette of 19.02.2014)).

4.2. **Bulgaria**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Articles 48-50 of the 'Defence-Related Products and Dual-Use Items and Technologies Export Control Act', State Gazette No. 26/29.03.2011).

4.3. **Germany**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Section 44 of the German Foreign Trade and Payments Regulation - *Aussenwirtschaftsverordnung — AWV*).

4.4. **Estonia**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Par. 3, 6 and 7 of the Strategic Goods Act (SGA)).

4.5. **Ireland**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Section 10 of Statutory Instrument 443 of 2009, Control of Exports (Dual-Use Items) Order 2009).

4.6. **Greece**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Par. 3.3.2 of the Ministerial Decision No 121837/e3/21837/28-9-2009).

4.7. **Croatia**

An authorisation for transit of listed dual-use items - also called Special Transit Licence - may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Act on Control of dual-use items (OG 80/11 i 68/2013).

4.8. **Italy**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) and (2) of the Regulation.

(Article 7 of Legislative Decree n° 221/2017 of 15 December 2017, in force since 1 February 2018).

4.9. **Luxembourg**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Law of 27 June 2018 on export control, Article 43(1))

4.10. **Hungary**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Par.18 of Government Decree No 13 of 2011 on the foreign trade authorisation of dual-use items).

4.11. **Austria**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Article 15 of the 2011 Foreign Trade Act - Außenwirtschaftsgesetz 2011, BGBl. I Nr. 26/2011).

4.12. **Romania**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Par. 1 of Article 15 of the Emergency Order No 119 of 23 December 2010 (GEO No 119/2010) 'on the control regime for operations concerning dual-use items').

4.13. **Finland**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Par.3.3 of law 562/1996).

4.14. **United Kingdom**

An authorisation for transit of listed dual-use items may be required when the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1) of the Regulation.

(Article 8(1), 17 and 26 of the Export Control Order 2008, as amended by The Export Control (Amendment) (No 3) Order 2009 (S.I. 2009/2151)).

5. **INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 6(3) OF THE REGULATION (EXTENSION OF TRANSIT CONTROLS)**

Article 6(3) in conjunction with Article 6(4) of the Regulation requires the Commission to publish measures taken by Member States extending the application of Article 6(1) to non-listed dual-use items for uses referred to in Article 4(1) and to dual-use items for military end use and destinations referred to in Article 4(2).

The table below provides an overview of the measures taken by Member States, as notified to the Commission. Details on the measures are provided thereafter.

Member State	Have the transit control provisions set out in Article 6(1) been extended in relation with Article 6(3)?
BELGIUM	Partly YES
BULGARIA	NO
CZECH REPUBLIC	YES
DENMARK	NO
GERMANY	NO
ESTONIA	YES
IRELAND	YES
GREECE	YES
SPAIN	YES
FRANCE	NO
CROATIA	YES
ITALY	YES
CYPRUS	YES
LATVIA	NO
LITHUANIA	NO
LUXEMBOURG	YES
HUNGARY	YES
MALTA	NO
NETHERLANDS	YES
AUSTRIA	YES
POLAND	NO
PORTUGAL	NO

Member State	Have the transit control provisions set out in Article 6(1) been extended in relation with Article 6(3)?
ROMANIA	YES
SLOVENIA	NO
SLOVAKIA	NO
FINLAND	YES
SWEDEN	NO
UNITED KINGDOM	YES

5.1. **Belgium**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authorities, in the Flemish Region and the Walloon Region, if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authorities, in the Flemish Region and the Walloon Region, if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Article 6 and 7 of the Flemish Government Decree of 14 March 2014 regulating export, transit and transfer of dual-use items and the delivery of technical assistance (Belgian Official Gazette of 02.05.2014); Article 5 and 6 of the Walloon Government Decree of 6 February 2014 regulating export, transit and transfer of dual-use items and technology (Belgian Official Gazette of 19.02.2014).

5.2. **Czech Republic**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Par. 13b of the Act No 594/2004 Coll. 'Implementing the European Community Regime for the Control of Exports, Transfer, Brokering, and Transit of Dual-Use Items' (1)).

5.3. **Estonia**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Par. 3, 6 and 7 of the Strategic Goods Act (SGA)).

5.4. **Ireland**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Section 11 of Statutory Instrument 443 of 2009, Control of Exports (Dual-Use Items) Order 2009).

5.5. **Greece**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Par. 3.3.3. of the Ministerial Decision No 121837/e3/21837/28-9-2009).

5.6. **Spain**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Article 11 of Act 53/2007).

5.7. **Croatia**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Act on Control of dual-use items (OG 80/11 i 68/2013)).

5.8. **Italy**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Article 7 of Legislative Decree n° 221/2017 of 15 December 2017, in force since 1 February 2018).

5.9. **Cyprus**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Article 5(3) of Ministerial Order 312/2009).

5.10. **Luxembourg**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Law of 27 June 2018 on export control, Article 43 (2))

These provisions shall not apply to the transit of dual-use goods dispatched without transhipment or change of means of transport (no transhipment or change of conveyance shall be deemed to be the discharge, for the purpose of securing the cargo, of goods in a ship or aircraft, provided that such goods are re-embarked on the same ship or aircraft), and to the transit of dual-use items for which there is already a general export authorization from the European Union.

(Law of 27 June 2018 on export control, Article 43 (3)).

5.11. **Hungary**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Par. 18 of the Government Decree No 13 of 2011 'on foreign trade authorisation of dual-use items').

5.12. **The Netherlands**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Article 4a(1) and (2) of the Decree for Strategic Goods - Besluit strategische goederen).

5.13. **Austria**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Article 15 of the 2011 Foreign Trade Act (Außenwirtschaftsgesetz 2011, BGBl. I Nr. 26/2011).

5.14. **Romania**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Article 15(2) of the Emergency Order No 119 of 23 December 2010 (GEO No 119/2010).

5.15. **Finland**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Par. 3.3 and 4.1 of law 562/1996)

5.16. **United Kingdom**

The transit of non-Union non-listed dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for uses referred to in Article 4(1).

The transit of non-Union dual-use items may be prohibited by the competent authority if the items are or may be intended, in their entirety or in part, for military end use and destinations referred to in Article 4(2).

(Article 8(2), 17(3) and 26 of The Export Control Order 2008, as amended by the Export Control (Amendment) (No 3) Order 2009 (S.I.2009/2151)).

6. **INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 8 OF THE REGULATION (EXTENSION OF CONTROLS TO NON-LISTED ITEMS FOR REASONS OF PUBLIC SECURITY OR HUMAN RIGHTS CONSIDERATIONS)**

Article 8(4) of the Regulation requires the Commission to publish measures taken by Member States prohibiting or imposing an authorisation requirement on the export of dual-use items not listed in Annex I for reasons of public security or human rights considerations.

The table below provides an overview of the measures taken by Member States, as notified to the Commission. Details on the measures are provided thereafter.

Member State	Have additional controls been implemented concerning non-listed goods for reasons of public security or human rights considerations in relation with Article 8(1)?
BELGIUM	NO
BULGARIA	YES
CZECH REPUBLIC	YES
DENMARK	NO
GERMANY	YES
ESTONIA	YES
IRELAND	YES
GREECE	NO
SPAIN	NO
FRANCE	YES
CROATIA	NO
ITALY	NO
CYPRUS	YES
LATVIA	YES
LITHUANIA	NO
LUXEMBOURG	YES
HUNGARY	NO
MALTA	NO
NETHERLANDS	YES
AUSTRIA	YES
POLAND	NO
PORTUGAL	NO
ROMANIA	YES

Member State	Have additional controls been implemented concerning non-listed goods for reasons of public security or human rights considerations in relation with Article 8(1)?
SLOVENIA	NO
SLOVAKIA	NO
FINLAND	NO
SWEDEN	NO
UNITED KINGDOM	YES

6.1. **Bulgaria**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited, by an act of the Council of Ministers, for reasons of public security or human rights considerations.

(Article 34(1), par. 3 of the Defence-Related Products and Dual-Use Items and Technologies Export Control Act, State Gazette No. 26/29.03.2011).

6.2. **Czech Republic**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited, by Government Order, for reasons of public security or human rights considerations.

(Par. 3(1)(d) of the Act No 594/2004 Coll).

6.3. **Germany**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited for reasons of public security or human rights consideration.

(Section 8 (1) Nr. 2 of the Foreign Trade and Payments Regulation *(Aussenwirtschaftsverordnung* - AWV)).

This national measure applies to the following items on the German Export Control List:

– 2B909 Flow forming machines and machines with combined flow forming and spin-forming functions, other than those controlled by 2B009, 2B109 or 2B209 in the framework of Council Regulation (EC) No 428/2009 as amended, having all of the following characteristics, and specially designed components therefor:

(a) which, according to the manufacturer's technical specification, can be equipped with numerical control units, computer control or play-back control; and

(b) a roller force of more than 60 kN, if the purchasing country or country of destination is Syria.

– 2B952 Equipment capable of use in handling biological substances, other than that controlled by 2B352 in the framework of Council Regulation (EC) No 428/2009 as amended, if the purchasing country or country of destination is Iran, North Korea or Syria:

(a) fermenters, capable of cultivation of pathogenic 'micro-organisms' or viruses, or capable of toxin production, without the propagation of aerosols and having a total capacity of 10 l or more;

(b) agitators for fermenters controlled by 2B352(a) in the framework of Council Regulation (EC) No 428/2009 as amended.

Technical note:

Fermenters include bioreactors, chemostats and continuous-flow systems.

– 2B993 Equipment for the deposition of metallic overlays for non-electronic substrates as follows, and specially designed components and accessories therefor, if the purchasing country or country of destination is Iran:

(a) chemical vapour deposition (CVD) production equipment;

(b) electron beam physical vapour deposition (EB-PVD) production equipment;

(c) production equipment for deposition by means of inductive or resistance heating.

– 5A902 Surveillance systems, equipment and components for ICT (Information and Communication Technology) for public networks, where the destination lies outside the customs territory of the European Union and outside the areas listed in Annex IIa Part 2 of Regulation (EC) No 428/2009, as follows:

(a) Monitoring centres (Law Enforcement Monitoring Facilities) for Lawful Interception Systems (LI, for example according to ETSI ES 201 158, ETSI ES 201 671 or equivalent standards, specifications or standards) and specially designed components therefor,

(b) Retention systems or devices for call data (Intercept Related Information IRI, for example, according to ETSI TS 102 656 or equivalent standards, specifications or standards) and specially designed components therefor.

Technical note:

Call data includes signalling information, origin and destination (e.g. phone numbers, IP or MAC addresses, etc.), date and time and geographical origin of communication.

Note:

5A902 does not control systems, or devices that are specially designed for any the following purposes:

(a) *billing*

(b) *data collection functions within network elements (e.g., Exchange or HLR)*

(c) *quality of service of the network (Quality of Service - QoS) or*

(d) *user satisfaction (Quality of Experience - QoE)*

(e) *operation at telecommunications companies (service providers).*

– 5A911 Base stations for digital 'trunked radio' if the purchasing country or country of destination is Sudan or South Sudan.

Technical note:

Trunked radio' is a cellular radio communications procedure with mobile subscribers who are assigned frequency trunks for communication. Digital 'trunked radio' (e.g. TETRA, terrestrial trunked radio) uses digital modulation.

– 5D902 'Software', where the destination lies outside the customs territory of the European Union and outside the areas listed in Annex IIa Part 2 of Regulation (EC) No 428/2009, as follows:

(a) 'software' specifically designed or modified for the 'development', 'production' or 'use' of installations, functions or performance parameters controlled by entry 5A902;

(b) 'software' specifically designed or modified for the achievement of characteristics, functions or performance parameters controlled by entry 5A902.

– 5D911 'Software' specially designed or modified for the 'use' of equipment, which is controlled by item 5 A911, if the purchasing country or country of destination is Sudan or South Sudan.

– 5E902 'Technology' according to the General Technology Note for the 'development', 'production' and 'use' of installations, functions or performance characteristics controlled by entry 5A902, or 'software' controlled by entry 5D902, where the destination lies outside the customs territory of the European Union and outside the areas listed in Annex IIa Part 2 of Regulation (EC) No 428/2009.

– 6A908 Radar-based navigation or surveillance systems for vessel or airborne traffic control, not controlled by items 6A008 or 6A108 in the framework of Council Regulation (EC) No 428/2009 as amended, and specially designed components therefor, if the purchasing country or country of destination is Iran.

– 6D908 'Software', specially developed or modified for the 'development', 'production' or 'use' of the equipment controlled by 6A908, if the purchasing country or country of destination is Iran.

– 9A991 Ground vehicles not covered by Part I A of the Export Control List, as follows:

(a) flatbed trailers and semitrailers with a payload exceeding 25 000 kg and less than 70 000 kg, or having one or more military features and being capable of transporting vehicles controlled by 0006 in Part I A as well as traction vehicles capable of their transportation and having one or more military features if the purchasing country or country of destination is Iran, Libya, Myanmar, North Korea, Pakistan, Somalia or Syria;

Note:

Traction vehicles within the meaning of 9A991a comprise all vehicles with primary traction function;

(b) other trucks and off-road vehicles having one or more military features, if the purchasing country or country of destination is Iran, Libya, Myanmar, North Korea, Somalia or Syria.

Note 1: Military features as defined by 9A991 include:

(a) *fording capability of 1,2 m or more;*

(b) *mountings for guns and weapons;*

(c) *mountings for camouflage netting;*

(d) *roof lights, round with sliding or swinging cover;*

(e) *military enamelling;*

(f) *hook coupling for trailers in conjunction with a so-called NATO-socket.*

Note 2: 9A991 does not control ground vehicles when accompanying their users for their own personal use.

– 9A992 Trucks, as follows:

(a) all-wheel-drive trucks with a payload exceeding 1 000 kg, if the purchasing country or country of destination is North Korea;

(b) trucks with three or more axles and a maximum permissible gross laden weight of more than 20 000 kg, if the purchasing country or country of destination is Iran or Syria.

– 9A993 Helicopters, helicopter power transfer systems, gas turbine engines and auxiliary power units (APUs) for use in helicopters, and specially designed components therefor, if the purchasing country or country of destination is Cuba, Iran, Libya, Myanmar, North Korea, Somalia or Syria.

– 9A994 Air-cooled power units (aero-engines) with a cubic capacity of 100 cm^3 or more and 600 cm^3 or less, capable of use in unmanned 'air vehicles', and specially designed components therefor, if the purchasing country or country of destination is Iran.

– 9E991 'Technology' according to the General Technology Note for the 'development' or 'production' of equipment controlled by 9A993, if the purchasing country or country of destination is Cuba, Iran, Libya, Myanmar, North Korea, or Syria.

– 9E992 'Technology' according to the General Technology Note, other than controlled by 9E101b in the framework of Council Regulation (EC) No 428/2009 as amended, for the 'production' of 'unmanned aerial vehicles' ('UAVs'), if the destination is outside the customs territory of the European Union and outside the areas listed in Annex IIa Part 2 of Council Regulation (EC) No 428/2009.

The export authorisation requirement under Section 5(d) AWV for non-listed goods continues to apply in section 9 AWV.

Under Section 6 of the Foreign Trade and Payments Act (*Aussenwirtschaftsgesetz* - AWG), transactions, legal transactions and actions can be restricted, or obligations to act can be imposed by administrative act, in order to avert a danger pertaining in an individual case to the interests e.g. the essential security interests of the Federal Republic of Germany, the peaceful coexistence of nations, the foreign relations of the Federal Republic of Germany, the public order or security of the Federal Republic of Germany.

6.4. **Estonia**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited, by decision of the Strategic Goods Commission, for reasons of public security or human rights considerations.

(Par. 2 (11) and 6 (2) of the Strategic Goods Act).

6.5. **Ireland**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited for reasons of public security or human rights considerations.

(Section 12(2) of Statutory Instrument 443 of 2009, Control of Exports (Dual-Use Items) Order 2009, as amended).

6.6. **France**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited for reasons of public security or human rights considerations. (Decree No 2010-292).

National controls on exports of dual-use items have been adopted, as set out in following orders: Ministerial Order of 31 July 2014 concerning the export of certain helicopters and their spare parts to third countries (Published in the French Official Gazette of 8 August 2014) and Ministerial Order of 31 July 2014 on the export of tear gas and riot control agents to third countries (Published in the French Official Gazette of 8 August 2014).

6.7. **Cyprus**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited by the Ministry of Energy, Commerce, Industry and Tourism for reasons of public security or human rights considerations.

(Articles 5(3) and 10(c) of Ministerial Order 312/2009).

6.8. **Latvia**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited by the Control Committee for Strategic Goods for reasons of public security or human rights considerations.

(Regulation of the Cabinet of Ministers No 645 of 25 September 2007 - 'Regulation on the National List of Strategic Goods and Services' - issued in accordance with the 'Law on the Handling of Strategic Goods', Article 3, Part One).

National controls on exports of dual-use items apply to the National List of Strategic Goods and Services (Annex to Regulation No 645), available at the following website:

https://likumi.lv/doc.php?id=163892.

6.9. **Luxembourg**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited for reasons of public security or human rights considerations.

The exporter who knows or suspects that such export or these products affect or are likely to affect the national or foreign security of the country of the Grand Duchy of Luxembourg or the safeguarding of human rights, shall inform the Ministers responsible for Foreign Trade and Foreign Affairs who inform the exporter or his authorized representative of the need or not to request the authorization.

(Law of 27 June 2018, Article 45 (2)).

6.10. **The Netherlands**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited by the Minister of Foreign Affairs for reasons of public security or human rights considerations.

(Article 4 of the Decree for Strategic Goods - Besluit strategische goederen).

National controls for the export of items for internal repression and brokering services to Syria and for the export of items for internal repression to Egypt and Ukraine have been adopted.

(Decree Goods for Dual-Use - Regeling goederen voor tweeërlei gebruik).

Authorisation requirements have been imposed for the export of 37 chemical substances to Iraq, regardless of the specific consignee or end-user.

(Decree Goods for Dual-Use Iraq – Regeling goederen voor tweeërlei gebruik Irak).

6.11. **Austria**

The export or transit of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited for reasons of public security or human rights considerations.

(Article 20 of the 2011 Foreign Trade Act (Außenwirtschaftsgesetz 2011, BGBl. I Nr. 26/2011)).

6.12. **Romania**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited for reasons of public security or human rights considerations.

(Article 7 of the Emergency Order No 119 of 23 December 2010 (GEO No 119/2010) on the control regime for operations concerning dual-use items).

6.13. **United Kingdom**

The export of dual-use items not listed in Annex I of the Regulation may be subject to authorisation or prohibited for reasons of public security or human rights considerations.

(Export Control Order 2008).

The list of UK controlled dual-use items is set out in Schedule 3 of the Export Control Order 2008 (S.I. 2008/3231) as amended by the Export Control (Amendment) (No 2) Order 2010 (S.I. 2010/2007) and by The Export Control (Amendement) (No. 2) Order 2019 (S.I. 2019/1159), as follows:

SCHEDULE 3

Schedule referred to in Articles 2 and 4 of the Export Control Order 2008 UK CONTROLLED DUAL-USE GOODS, SOFTWARE AND TECHNOLOGY

Note: In this Schedule, defined terms are printed in quotation marks.

Definitions

In this Schedule:

'development' means all stages prior to 'production' (e.g. design, design research, design analyses, design concepts, assembly and testing of prototypes, pilot production schemes, design data, process of transforming design data into goods, configuration design, integration design, layouts);

'energetic materials' means substances or mixtures that react chemically to release energy required for their intended application; 'explosives', 'pyrotechnics' and 'propellants' are subclasses of energetic materials;

'explosive signatures' are features which are characteristic of explosives in any form prior to their initiation, as detected using technology including, but not limited to, ion mobility spectrometry, chemiluminescence, fluorescence, nuclear, acoustic or electromagnetic techniques;

'explosives' means solid, liquid or gaseous substances or mixtures of substances which, in their application as primary, booster, or main charges in warheads, demolition and other applications, are required to detonate;

'improvised explosive devices' means devices fabricated or intended to be placed in an improvised manner incorporating destructive, lethal, noxious, 'pyrotechnic' or incendiary chemicals designed to destroy, disfigure or harass; they may incorporate military stores, but are normally devised from non-military components;

'lighter-than-air vehicles' means balloons and airships that rely on hot air or on lighter-than-air gases such as helium or hydrogen for their lift;

'previously separated' means the application of any process intended to increase the concentration of the controlled isotope;

'production' means all production stages (e.g. product engineering, manufacture, integration, assembly (mounting), inspection, testing, quality assurance);

'propellants' means substances or mixtures that react chemically to produce large volumes of hot gases at controlled rates to perform mechanical work;

'pyrotechnic(s)' means mixtures of solid or liquid fuels and oxidisers which, when ignited, undergo an energetic chemical reaction at a controlled rate intended to produce specific time delays, or quantities of heat, noise, smoke, visible light or infrared radiation; pyrophorics are a subclass of pyrotechnics, which contain no oxidisers but ignite spontaneously on contact with air;

'required' as applied to 'technology', refers to only that portion of 'technology' which is peculiarly responsible for achieving or exceeding the controlled performance levels, characteristics or functions. Such 'required' 'technology' may be shared by different goods and the intended use of 'technology' is irrelevant to whether it is 'required';

'technology' means specific 'information' necessary for the 'development', 'production' or 'use' of goods or 'software';

Technical Note:

'Information' may take forms including, but not limited to: blueprints, plans, diagrams, models, formulae, tables, 'source code', engineering designs and specifications, manuals and instructions written or recorded on other media or devices (e.g. disk, tape, read-only memories);

'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.

'use' means operation, installation (e.g. on-site installation), maintenance, checking, repair, overhaul and refurbishing;

'vaccines' are medicinal products in a pharmaceutical formulation licensed by, or having marketing or clinical trial authorisation from, the regulatory authorities of either the country of manufacture or of use, which is intended to stimulate a protective immunological response in humans or animals in order to prevent disease in those to whom or to which it is administered.

Explosive-related goods and technology

PL8001 The export or 'transfer by electronic means' of the following goods or 'technology' is prohibited to any destination outside all of the following: 'the customs territory', Australia, New Zealand, Canada, Norway, Switzerland, United States of America and Japan:

a. Equipment and devices, other than those in Schedule 2 or in 1A004.d, 1A005, 1A006, 1A007, 1A008, 3A229, 3A232 or 5A001.h in Annex I to 'the dual-use Regulation', for detection of or use with 'explosives' or for dealing with or protecting against 'improvised explosive devices', as follows, and specially designed components therefor:

1. Electronic equipment designed to detect 'explosives' or 'explosive signatures';

NB: See also 1A004.d in Annex I to 'the dual-use Regulation'.

Note: PL8001.a.1 does not control equipment requiring operator judgement to establish the presence of 'explosives' or 'explosive signatures'.

2. Electronic jamming equipment specially designed to prevent the detonation by radio remote control of 'improvised explosive devices';

NB: See also 5A001.h. in Annex I to 'the dual-use Regulation'.

3. Equipment and devices specially designed to initiate explosions by electrical or nonelectrical means, (e.g., firing sets, detonators and igniters);

NB: See also 1A007, 1A008, 3A229 and 3A232 in *Annex I to 'the dual-use Regulation'.*

*Note: PL8001.*a.*3 does not control:*

a. *Equipment and devices specially designed for a specific commercial use consisting of the actuation or operation by explosive means of other equipment or devices the function of which is not the initiation or creation of explosions;*

b. *pressure controlled equipment specially designed for down-hole oilfield equipment applications and which are incapable of use at atmospheric pressure; and*

c. *detonating cord.*

4 Equipment and devices, including, but not limited to: shields and helmets, specially designed for the disposal of 'improvised explosive devices';

N.B.: See also 1A005, 1A006 and 5A001.h. in Annex I to 'the dual-use Regulation'. Note: PL8001.a.4 does not control bomb blankets, mechanical handling equipment for manoeuvring or exposing 'improvised explosive devices', containers designed for holding 'improvised explosive devices' or objects suspected of being such devices or other equipment specially designed to temporarily protect against 'improvised explosive devices' or objects suspected of being such devices.

a. Linear cutting explosive charges other than those listed at entry 1A008 of Annex I to 'the dual-use Regulation';

b. 'Technology' 'required' for the 'use' of goods in PL8001.a and PL8001.b.

NB: See Article 18 of this Order (Export Control Order 2008) for exceptions from the controls on 'technology'.

Materials, chemicals, micro-organisms and toxins

PL9002 The export of the following goods is prohibited to any destination:

'Energetic materials', as follows, and mixtures containing one or more thereof:

a. Nitrocellulose (containing more than 12,5 % nitrogen);

b. Nitroglycol;

c. Pentaerythritol tetranitrate (PETN);

d. Picryl chloride;

e. Trinitrophenylmethylnitramine (tetryl);

f. 2,4,6-Trinitrotoluene (TNT).

Note: PL9002 does not control single, double and triple base 'propellants'.

PL9003 The export of the following goods is prohibited to any destination:

'Vaccines' for protection against:

a. bacillus anthracis;

b. botulinum toxin.

PL9004 The export of the following goods is prohibited to any destination:

'Previously separated' americium-241, -242m or -243 in any form.

Note: PL9004 does not control goods with an americium content of 10 grams or less.

Telecommunications and related technology

PL9005 The export or 'transfer by electronic means' of the following goods or 'technology' is prohibited to any destinations in Iran:

a. Tropospheric scatter communication equipment using analogue or digital modulation techniques and specially designed components therefor;

b. Technology for the 'development', 'production' or 'use' of goods specified in PL9005.a.

NB: See Article 18 of this Order (Export Control Order 2008) for exceptions from the controls on 'technology'.

Detection equipment

PL9006 The export of 'electro-statically powered' equipment for detecting 'explosives', other than detection equipment specified in Schedule 2, PL8001.a.1 or in 1A004.d. in Annex I to 'the dual-use Regulation', is prohibited to any destination in Afghanistan or Iraq.

Technical Note:

'Electro-statically powered' means using electro-statically generated charge.

Vessels and related software and technology

PL9008 The export or 'transfer by electronic means' of the following goods, 'software' or 'technology', is prohibited to any destination in Iran:

a. 'Vessels', inflatable craft and 'submersible vehicles', and related equipment and components, as follows, other than those specified in Schedule 2 to this Order (Export Control Order 2008) or Annex I to 'the dual-use Regulation':

1. Marine 'vessels' (surface or underwater), inflatable craft and 'submersible vehicles';

2. Equipment and components designed for 'vessels', inflatable craft and 'submersible vehicles' as follows:

a. Hull and keel structures and components;

b. Propulsive engines designed or modified for marine use and specially designed components therefor;

c. Marine radar, sonar and speed log equipment, and specially designed components therefor;

3. 'Software' designed for the 'development', 'production' or 'use' of goods specified in PL9008.a;

4. 'Technology' for the 'development', 'production' or 'use' of goods or 'software' specified in PL9008.a or PL9008.b.

NB: See Article 18 of this Order (Export Control Order 2008) for exceptions from the controls on 'technology'.

Technical Note:

'Submersible vehicles' include manned, unmanned, tethered or untethered vehicles.

Aircraft and related technology

PL9009 The export or 'transfer by electronic means' of the following goods or 'technology' is prohibited to any destination in Iran:

a. 'Aircraft', 'lighter-than-air vehicles' and steerable parachutes, and related equipment and components, as follows, other than those specified in Schedule 2 to this Order (Export Control Order 2008) or Annex I to 'the dual-use Regulation':

1. 'Aircraft', 'lighter-than-air vehicles' and steerable parachutes;

2. Equipment and components designed for 'aircraft' and 'lighter-than-air vehicles', as follows:

a. Airframe structures and components;

b. Aero-engines and auxiliary power units (APU)s and specially designed components therefor;

c. Avionics and navigation equipment and specially designed components therefor;

d. Landing gear and specially designed components therefor, and aircraft tyres;

e. Propellers and rotors;

f. Transmissions and gearboxes, and specially designed components therefor;

g. Unmanned aerial vehicle (UAV) recovery systems;

h. Not used;

i. 'Technology/ for the 'development', 'production' or 'use' of goods specified in PL9009.a.

N.B.: See Article 18 of this Order (Export Control Order 2008) for exceptions from the controls on 'technology'.

Note: PL9009.c. does not control technical data, drawings or documentation for maintenance activities directly associated with calibration, removal or replacement of damaged or unserviceable goods that are necessary for the continuing airworthiness and safe operation of civil 'aircraft'.

Firearms

N.B. Military firearms and ammunition are controlled in ML1, ML2 and ML3 in Schedule 2.

PL9010 Where the "Firearm Regulation" does not apply, the export of "firearms", their "parts" and "essential components" and "ammunition", as follows, is prohibited to any destination outside the European Union:

N.B.: See also the "Firearm Regulation" for the export of "firearms" to non-EU Member States.

a. "Firearms" other than those specified in ML1 or ML2 of Schedule 2;

Note: PL9010.a. includes pre-1938 "firearms", post 1937 smooth-bore "firearms" that are not fully automatic or specially designed for military use and post 1937 "firearms" using non-centre fire (e.g. rimfire) cased "ammunition" and which are not of the fully automatic firing type.

b. "Parts" (including sound suppressors or moderators) or "essential components" specially designed for "firearms" specified in PL9010.a. above;

c. "Ammunition" specially designed for "firearms" specified in PL9010.a. above;

d. "Software" designed for "development" or "production" of semi-automatic or pump action type smooth-bore "firearms" manufactured in 1938 or later;

e. "Technology" for the "development" or "production" of semi-automatic or pump action type smooth-bore "firearms" manufactured in 1938 or later.

N.B.: See article 18 of this Order (Export Control Order 2008) for exceptions from the controls on "technology".

Note: PL9010 does not control:

1. *"Firearms" manufactured earlier than 1890 and reproductions thereof;*

2. *"Parts" (including sound suppressors or moderators), "essential components" or "ammunition", specially designed for "firearms" specified in Note 1 above;*

3. *"Firearms" to which the "Deactivation Regulation" applies which have been deactivated and marked in accordance with the technical specifications set out in Annex I and II to the Deactivation Regulation;*

4. *"Firearms" to which the "Deactivation Regulation" does not apply which bear a mark and are certified as having been rendered incapable of discharging any shot, bullet or other missile in accordance with section 8 of the Firearms (Amendment) Act 1988*

PL9011 Where the "Firearm Regulation" does not apply, the export of "firearms", devices, "essential components", sound suppressors or moderators and "ammunition", as follows, is prohibited to any destination inside the European Union:

N.B.: See also the Firearm Regulation and PL9010 for exports of "firearms" to non-EU Member States.

a. "Firearms" other than those specified in ML1 or ML2 of Schedule 2;

Note: PL9011.a. includes pre-1938 "firearms", post 1937 smooth-bore "firearms" that are not fully automatic or specially designed for military use and post 1937 "firearms" using non-centre fire (e.g. rimfire) cased "ammunition" and which are not of the fully automatic firing type.

b. "Parts" (including sound suppressors or moderators) or "essential components" specially designed for "firearms" specified in PL9011.a. above;

c. "Ammunition" specially designed for "firearms" specified in PL9011.a. above;

d. "Software" designed for the "development" or "production" of semi-automatic or pump action type smooth-bore "firearms" manufactured in 1938 or later;

e. "Technology" for the "development" or "production" of semi-automatic or pump action type smooth-bore "firearms" manufactured in 1938 or later;

N.B.: See article 18 of this Order (Export Control Order 2008) for exceptions from the controls on "technology".

f. Devices for firing blanks, irritants, other active substances or pyrotechnic rounds that are capable of being converted to a "firearm";

g. Devices for salute or acoustic applications that are capable of being converted to a "firearm".

Note: PL9011 does not control:

1. *"Firearms" manufactured earlier than 1890;*

2. *"Parts" (including sound suppressors or moderators), "essential components" or "ammunition", specially designed for "firearms" specified in Note 1 above;*

3. *"Firearms" to which the "Deactivation Regulation" applies which have been deactivated and marked in accordance with the technical specifications set out in Annexes I and II to the Deactivation Regulation".*

Submersible Vessels and related goods, software and technology

PL9012 The export or "transfer by electronic means" of the following goods, "software" or "technology" is prohibited to any destination in Russia:

a. 'submersible vehicles', and related systems, equipment and components, as follows, other than those specified in Schedule 2 to this Order or Annex I to "the dual-use Regulation":

1. 'submersible vehicles' and specially designed components therefor;

2. Subsea ploughs and specially designed components therefor;

3. Systems, equipment and components for use with 'submersible vehicles' and subsea ploughs, as follows:

a. Marine acoustic systems and equipment, as follows:

i. sonar equipment;

ii. velocity log equipment;

iii. underwater altimeters;

b. Navigation equipment specially designed for 'submersible vehicles';

c. Acoustic systems and equipment designed to determine the position of 'submersible vehicles' including via surface vessels;

d. Propulsion motors or thrusters for 'submersible vehicles';

e. Umbilical cables and connectors therefor, specially designed or modified for 'submersible vehicles';

f. Umbilical winches, tow winches and lifting winches;

g. Tethers and tether systems, for 'submersible vehicles';

h. Lighting systems specially designed or modified for underwater use;

i. Underwater vision systems;

j. Underwater communication systems;

k. Pressure sensors specially designed for underwater use;

l. Launch and recovery systems and equipment for deploying 'submersible vehicles' and specially designed components therefor;

m. Trenching tools and jetting tools, specially designed or modified for use with 'submersible vehicles';

n. Control systems and equipment specially designed or modified for the remote operation of 'submersible vehicles';

o. Remotely controlled articulated manipulators specially designed or modified for use with 'submersible vehicles';

p. Subsea cable detection systems;

q. Cable cutting, clamping and handling equipment, specially designed or modified for use with 'submersible vehicles';

r. Subsea telecoms handling systems and equipment;

s. Tools specially designed or modified to be operated by 'submersible vehicles' or articulated manipulators;

t. Syntactic foam;

u. Pressure housings specially designed or modified for use on 'submersible vehicles';

v. Biological, chemical or physical environmental sensors designed or modified to be used underwater;

b. Azimuth adjustable propulsion systems for use in surface vessels with a propeller diameter of greater than 2m;

c. "Software" designed for the "development", "production" or "use" of goods specified in PL9012.a. and PL9012.b.

d. "Technology" for the "development", "production" or "use" of goods or "software" specified in PL9012.a., PL9012.b. or PL9012.c.

N.B.: See Article 18 of this Order (Export Control Order 2008) for exceptions from the controls on 'technology'.

Technical Note:

'Submersible vehicles' include manned, unmanned, tethered or untethered vehicles.".

7. **INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 9(4)(B) OF THE REGULATION (NATIONAL GENERAL EXPORT AUTHORISATIONS)**

Article 9(4)(b) of the Regulation requires the Commission to publish measures taken by Member States with regard to any national general export authorisations issued or modified.

The table below provides an overview of the measures taken by Member States, as notified to the Commission. Details on the measures are provided thereafter.

Member State	Has your Member State issued or modified any national general export authorisation in relation with Article 9?
BELGIUM	NO
BULGARIA	NO
CZECH REPUBLIC	NO
DENMARK	NO
GERMANY	YES
ESTONIA	NO
IRELAND	NO

Member State	Has your Member State issued or modified any national general export authorisation in relation with Article 9?
GREECE	YES
SPAIN	NO
FRANCE	YES
CROATIA	YES (but NOT in use)
ITALY	YES
CYPRUS	NO
LATVIA	NO
LITHUANIA	NO
LUXEMBOURG	NO
HUNGARY	NO
MALTA	NO
NETHERLANDS	YES
AUSTRIA	YES
POLAND	NO
PORTUGAL	NO
ROMANIA	NO
SLOVENIA	NO
SLOVAKIA	NO
FINLAND	YES (but NOT in use)
SWEDEN	NO
UNITED KINGDOM	YES

7.1. **Germany**

There are five National General Export Authorisations in force in Germany:

1	General Authorisation N° 12 for the export of certain dual-use goods below a certain value threshold;
2	General Authorisation N° 13 for the export of certain dual-use goods in certain circumstances;
3	General Authorisation N° 14 for valves and pumps;
4	General Authorisation N° 16 for telecommunications and data security;
5	General Authorisation N° 17 for frequency changers.

7.2. **Greece**

A National General Export Authorisation applies for export of certain dual-use items to the following destinations: Argentina, Croatia, Republic of Korea, Russian Federation, Ukraine, Turkey and South Africa.

(Ministerial Decision No 125263/e3/25263/6-2-2007).

7.3. **France**

There are seven National General Export Authorisations in force in France:

1	National General Export Authorisation for industrial goods, as defined in the decree of 18 July 2002 concerning the export of industrial goods subject to strategic control in the European Community [as published in the *Official Journal of the French Republic* No 176 of 30 July 2002 (text 11) and as amended by the decree of 21 June 2004 concerning the enlargement of the European Union as published in the *Official Journal of the French Republic* of 31 July 2004 (text 5)];
2	National General Export Authorisation for chemical products, as defined in the decree of 18 July 2002 concerning the export of dual-use chemical products [as published in the *Official Journal of the French Republic* No 176 of 30 July 2002 (text 12) and as amended by the decree of 21 June 2004 concerning the enlargement of the European Union as published in the *Official Journal of the French Republic* of 31 July 2004 (text 6)];
3	National General Export Authorisation for graphite, as defined in the decree of 18 July 2002 concerning the export of nuclear quality graphite [as published in the *Official Journal of the French Republic* No 176 of 30 July 2002 (text 13) and as amended by the decree of 21 June 2004 concerning the enlargement of the European Union as published in the *Official Journal of the French Republic* of 31 July 2004 (text 7)];
4	National General Export Authorisation for biological products, as defined in the decree of 14 May 2007 and amended by the decree of 18 march 2010 concerning the export of certain genetic elements and genetically modified organisms [as published in the *Official Journal of the French Republic* of 20 march 2010];
5	National General Export Authorisation for certain dual-use items for French armed forces in third countries (Ministerial Order of 31 July 2014, published in the French Official Gazette of 8 August 2014);
6	National General Authorisation for the export or transfer within the EU of certain dual-use items for exhibition or fair (Ministerial Order of 31 July 2014 published in the French Official Gazette of 8 August 2014).
7	National General Authorization for the export of dual-use items for the repair of civil aircraft, also named National General Authorization for "aeronautical equipment" (Ministerial Order of 14 January 2019 published in the *Official Journal of the French Republic* of 18 January 2019 (text 19).

The specific items covered by the authorisations are set out in the relevant decrees.

7.4. **Croatia**

A National General Export Authorisation for the export of dual-use items in accordance with Article 9(4) of the Regulation may be issued by the Ministry of Foreign and European Affairs (Act on Control of Dual-Use Items (OG 80/11 i 68/2013)).

7.5. **Italy**

A National General Export Authorisation applies for export of certain dual-use items to the following destinations: Antarctica (Italian bases), Argentina, Republic of Korea, Turkey.

(Decree of 4 August 2003 published in the Official Journal No 202 of 1 September 2003).

7.6. **The Netherlands**

There are two National General Export Authorisations in force in the Netherlands:

1	A National General Export Authorisation applies for export of certain dual-use items to all destinations, with the exception of: — Australia, Canada, Japan, New Zeeland, Norway, USA, Switzerland (which are covered already by Annex II Part 3 to the Regulation);

	— Afghanistan, Burma/Myanmar, Iraq, Iran, Libya, Lebanon, North Korea, Pakistan, Sudan, Somalia and Syria. (National General Authorisation NL002 - Nationale Algemene Uitvoervergunning NL002)
2	A National General Export Authorisation for the export of items for information security to all destinations, with the exception of: — Countries that are subject to an arms embargo, according to article 4(2); — Afghanistan, Armenia, Azerbaijan, Bahrein, Bangladesh, Burundi, China (including Taiwan, Hong Kong and Macau), Cuba, Djibouti, Egypt, Equatorial-Guinea, Ethiopia, Gambia, Guinee (-Conakry), Guinee-Bissau, India, Yemen, Kazakhstan, Kuwait, Laos, Ukraine, Uzbekistan, Oman, Pakistan, Qatar, Rwanda, Saudi-Arabia, Swaziland, Syria, Tadzhikistan, Thailand, Turkey, Turkmenistan, United Arab Emirates, Vietnam. (National General Authorisation NL010 – Nationale Uitvoervergunningen NL 010 (*items voor informatiebeveiliging*))

7.7. **Austria**

There are four National General Export Authorisations in force in Austria:

1	AT001 for certain dual use items where they are re-exported to the originating country without modification, or where items of the same quantity and quality are exported to the originating country, or where technology is re-exported with minor additions, all within three months after their import into the European Union;
2	AT002 for the export of certain dual-use goods below a certain value threshold;
3	AT003 for valves and pumps specified in entries 2B350g and 2B350i to certain destinations;
4	AT004 for frequency changers specified in entry 3A225 and related software and technology.

The details of these authorisations are set out in Articles 3 through 3c of the First Foreign Trade Ordinance, BGBl. II No 343/2011 of 28 October 2011 as amended by Ordinance BGBl. II No 430/2015 of 17 December 2015. The conditions for their use (registration and notification requirements) can be found in Article 16 of the same Ordinance.

7.8. **Finland**

A National General Export Authorisation for the export of dual-use items in accordance with Article 9(4) of the Regulation may be issued by the Ministry of Foreign Affairs pursuant to Section 3, Paragraph 1 of Dual Use Act No. 562/1996 (as amended).

7.9. **United Kingdom**

There are fifteen National General Authorisations (OGELs) in force in the United Kingdom:

1	OGEL (Chemicals)
2	OGEL (Cryptographic Development)
3	OGEL (Export After Exhibition Dual-Use Items
4	OGEL (Export After Repair/Replacement Under Warranty: Dual-Use Items)
5	OGEL (Export For Repair/Replacement Under Warranty: Dual-Use Items)
6	OGEL (Dual-Use Items: Hong Kong Special Administrative Region)
7	OGEL (Low Value Shipments)

8	OGEL (OIL and GAS Exploration Dual-Items)
9	OGEL (Technology for Dual-Use Items)
10	OGEL (Turkey)
11	OGEL (X)
12	OGEL (Military and Dual-Use Goods: UK forces deployed in embargoed destinations)
13	OGEL (Military and Dual-Use Goods: UK forces deployed in non-embargoed destinations)
14	OGEL (Exports of Non-Lethal Military and Dual-Use goods: To Diplomatic Missions or Consular Posts)
15	OGEL (Information Security Items)
16	OGEL (PCB's and Components for Dual-Use Items)

All UK National General Authorisations for dual-use items, including the lists of permitted items and destinations and the terms and conditions attached to each, are available to view and download from https://www.gov.uk/dual-use-open-general-export-licences-explained .

8. **INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLES 9(6)(A), 9(6)(B) and 10(4) OF THE REGULATION (NATIONAL AUTHORITIES EMPOWERED TO GRANT EXPORT LICENCES IN THE MEMBER STATES NATIONAL AUTHORITIES EMPOWERED TO PROHIBIT THE TRANSIT OF NON¬COMMUNITY DUAL-USE ITEMS AND NATIONAL AUTHORITIES EMPOWERED TO GRANT AUTHORISATIONS FOR THE PROVISION OF BROKERING SERVICES – RESPECTIVELY)**

Article 9(6)(a) of the Regulation requires the Commission to publish the list of authorities empowered to grant export authorisations for dual-use items.

Article 9(6)(b) of the Regulation requires the Commission to publish the list of authorities empowered to prohibit the transit of non-Community dual-use items.

Article 10(4) of the Regulation requires the Commission to publish the list of authorities empowered to grant authorisation for the provision of brokering services.

8.1. **Belgium**

For the Brussels Capital Region (localities with postal codes 1000 to 1299)

Service Public Régional de Bruxelles Brussels International -
Cellule licences - Cel vergunningen
Mr Cataldo ALU
City-Center
Boulevard du Jardin Botanique 20
1035 Bruxelles/Brussel
BELGIQUE/BELGIË
Tel. +32 28003727
Fax +32 28003824
Email: calu@sprb.brussels
Website: http://international.brussels/qui-sommes-nous/#permits-unit

For the *Walloon Region (localities with postal codes 1300 to 1499 and 4000 to 7999)*

Service public de Wallonie
Direction Générale de l'Économie, de l'Emploi et de la Recherche
Direction des Licences d'Armes
Mr Michel Moreels
Chaussée de Louvain 14
5000 Namur
BELGIQUE
Tel. +32 81649751

Fax +32 81649759/60
Email: licences.dgo6@spw.wallonie.be
Website: http://economie.wallonie.be/Licences_armes/Accueil.html

For the Flanders Region (localities with postal codes 1500 to 3999 and 8000 to 9999)

Flemish Department of Foreign Affairs
Strategic Goods Control Unit
Mr Michael Peeters
Havenlaan 88, bus 80
1000 Brussel
BELGIË
Tel. +32 499589934
Email: csg@buza.vlaanderen
Website: www.fdfa.be/csg

8.2. **Bulgaria**

Interministerial Commission for Export Control and Non-Proliferation of Weapons of Mass Destruction with the Minister for Economy
1000 Sofia
8 Slavyanska Str.
BULGARIA
Tel. +359 29407771, +359 29407786
Fax +359 29880727
Email: ivan.penchev@mi.government.bg and n.grahovska@mi.government.bg
Website: www.exportcontrol.bg; http://www.mi.government.bg

8.3. **Czech Republic**

Ministry of Industry and Trade Licensing Office
Na Františku 32 110 15 Prague 1
CZECH REPUBLIC
Tel. +420 224907638
Fax +420 224214558 or +420 224221811
Email: leitgeb@mpo.cz or dual@mpo.cz
Website: www.mpo.cz

8.4. **Denmark**

Exportcontrols
Danish Business Authority
Langelinie Allé 17
2100 Copenhagen
DENMARK
Tel. +45 35291000
Fax +45 35466632
Email: eksportkontrol@erst.dk
Website: in English: www.exportcontrols.dk; in Danish: www.eksportkontrol.dk

8.5. **Germany**

Federal Office for Economic Affairs and Export Control *(Bundesamt für Wirtschaft und Ausfuhrkontrolle)*
Frankfurter Strasse 29-35 65760 Eschborn
GERMANY
Tel. +49 6196908-0
Fax +49 6196908-1800
Email: ausfuhrkontrolle@bafa.bund.de
Website: http://www.ausfuhrkontrolle.info

8.6. **Estonia**

Strategic Goods Commission, Ministry of Foreign Affairs Islandi väljak 1 15049 Tallinn
ESTONIA
Tel. +372 6377192

Fax +372 6377199
Email: stratkom@vm.ee
Website: in English: http://www.vm.ee/?q=en/taxonomy/term/58;
in Estonian: http://www.vm.ee/?q=taxonomy/term/50

8.7. **Ireland**

Trade Licensing and Control Unit
Department of Business, Enterprise and Innovation
Earlsfort Centre
Lower Hatch Street
Dublin 2
IRELAND
Contact: David Martin, Niamh Guihen
Tel. +353 16312328, +353 16312287
Email: david.martin@dbei.gov.ie - niamh.guihen@dbei.gov.ie -
exportcontrol@dbei.gov.ie
Website: https://www.djei.ie/en/What-We-Do/Trade-Investment/Export-Licences/

8.8. **Greece**

Ministry of Development, Competitiveness
General Directorate for International Economic Policy
Directorate of Import-Export Regimes and Trade Defence Instruments
Export Regimes and Procedures Unit
Kornarou 1 str
105 63 Athens
GREECE
Contact point: O.Papageorgiou
Tel. +30 2103286047/56/22/21
Fax +30 2103286094
Email: opapageorgiou@mnec.gr

8.9. **Spain**

The General Secretariat for Foreign Trade (Secretaría General de Comercio Exterior), the Customs Department (Agencia Tributaria - Aduanas) and the Foreign Office Ministry (Ministerio de Asuntos Exteriores, Unión Europea y Cooperación) are the authorities empowered to grant licences and to decide to prohibit the transit of non-Community dual-use items.

Contact point in the Licensing Office: Mr. Ramón Muro Martínez. Subdirector General.

Ministerio de Industria, Comercio y Turismo
Paseo de la Castellana, 162, 7a 28046 Madrid
SPAIN
Tel. +34 913492587
Fax +34 913492470
Email: rmuro@mincotur.es; sgdefensa.sscc@comercio.mineco.es
Website: http://www.comercio.gob.es/es-ES/comercio-exterior/informacion-sectorial/material-de-defensa-y-de-doble-uso/Paginas/conceptos.aspx

8.10. **France**

Ministère de l'Économie et des Finances
Direction Générale des Enterprises
Service des biens à double usage (SBDU)
67, rue Barbès – BP 80001
94201 Ivry-sur-Seine Cedex
FRANCE
Tel. +33 179 84 34 19
Email: doublusage@finances.gouv.fr
Website: https://www.entreprises.gouv.fr/biens-double-usage

8.11. **Croatia**

Ministry of Foreign and European Affairs

Directorate for Economic Affairs and Development Coordination
Export Control Division
Trg N. Š. Zrinskog 7-8
10000 Zagreb
CROATIA
Tel. +385 14598135, 137, 110
Fax +385 16474553
Email: kontrola.izvoza@mvep.hr
Website: http://gd.mvep.hr/hr/kontrola-izvoza/

8.12. **Italy**

Ministry of Economic Development
Directorate - General for International Trade Policy
Export Control Unit
Viale Boston, 25
00144 Roma
ITALY
Tel. +39 0659932439
Fax +39 0659932103
Email: polcom4@mise.gov.it ; massimo.cipolletti@mise.gov.it
Website: http://www.mise.gov.it/index.php/it/commercio-internazionale/import-export/dual-use

8.13. **Cyprus**

Ministry of Energy, Commerce, Industry and Tourism 6, Andrea Araouzou 1421 Nicosia
CYPRUS
Tel. +357 22867100, 22867332, 22867197
Fax +357 22375120, 22375443
Email: perm.sec@mcit.gov.cy ; pevgeniou@mcit.gov.cy ; xxenopoulos@mcit.gov.cy
Website: http://www.mcit.gov.cy/ts

8.14. **Latvia**

Control Committee for Strategic Goods
Chairman of the Committee: Mr Andris Pelšs
Executive Secretary: Mr Renārs Danelsons
Ministry of Foreign Affairs
3, K. Valdemara street
Riga, LV-1395
LATVIA
Tel. +371 67016426
Email: renars.danelsons@mfa.gov.lv
Website: https://www.mfa.gov.lv/tautiesiem-arzemes/aktualitates-tautiesiem/20440-strategiskas-nozimes-precu-kontrole?lang=lv-LV

8.15. **Lithuania**

Authority empowered to grant export authorisations for dual-use items and authorities empowered to grant authorisations for the provision of brokering services:

Ministry of Economy and Innovation of the Republic of Lithuania
Gedimino ave. 38/Vasario 16 st.2 LT-01104 Vilnius
LITHUANIA
Contact details:
Export Policy Division
Economic Development Department
Tel. +370 70664680
Email: vienaslangelis@eimin.lt
Website: http://eimin.lrv.lt/lt/veiklos-sritys/eksportas/strateginiu-prekiu-kontrole

Authority empowered to prohibit the transit of non-Community dual-use items:

Customs Department under the Ministry of Finance of the Republic of Lithuania
A. Jaksto str. 1/25 LT-01105 Vilnius
LITHUANIA
Contact details:
Customs Criminal Service
Tel. +370 52616960
Email: budetmd@lrmuitine.lt

8.16. **Luxembourg**

1) Minister responsible for Foreign Trade

2) Minister responsible for Foreign Affairs

Postal Address
Ministère de l'Economie
Office du contrôle des exportations, importations et du transit (OCEIT)
19-21 Boulevard Royal
L-2449 Luxembourg
Tel. +352 226162
Email oceit@eco.etat.lu

8.17. **Hungary**

Government Office of the Capital City Budapest
Department of Trade, Defence Industry, Export Control and Precious Metal Assay
Export Control Unit
Németvölgyi út 37-39.
1124 Budapest
HUNGARY
Tel. +36 14585577
Fax +36 14585869
Email: exportcontrol@bfkh.gov.hu
Website: http://mkeh.gov.hu/haditechnika/kettos_felhasznalasu

8.18. **Malta**

Commerce Department Mr Brian Montebello Trade Services
MALTA
Tel. +356 25690214
Fax +356 21240516
Email: brian.montebello@gov.mt
Website: https://commerce.gov.mt/en/Trade_Services/Imports%20and%20Exports/Pages/DUAL%20USE/DUAL-USE-TRADE-CONTROLS.aspx

8.19. **The Netherlands**

Ministry for Foreign Affairs
Directorate-General for International Relations
Department for Trade Policy and Economic Governance
PO Box 20061 2500 EB The Hague
THE NETHERLANDS
Tel. +31 703485954
Dutch Customs/Central Office for Import and Export PO Box 30003 9700 RD Groningen,
THE NETHERLANDS
Tel. +31 881512400
Fax +31 881513182
Email: DRN-CDIU.groningen@belastingdienst.nl
Website: www.rijksoverheid.nl/exportcontrole

8.20. **Austria**

Federal Ministry of Digital and Economic Affairs
Division for Foreign Trade Administration
Stubenring 1 1010 Vienna
AUSTRIA
Tel. +43 1 71100802335
Fax +43 1 71100808366
Email: POST.III2_19@bmdw.gv.at
Website: http://www.bmdw.gv.at/pawa

8.21. **Poland**

Ministry of Entrepreneurship and Technology
Department for Trade in Strategic Goods and Technical Safety
Pl. Trzech Krzyzy 3/5 00-507 Warszawa
POLAND
Tel. +48 222629665
Fax +48 222629140
Email: SekretariatDOT@mpit.gov.pl
Website: https://www.gov.pl/web/przedsiebiorczosc-technologia/zezwolenia-na-obrot-produktami-podwojnego-zastosowania

8.22. **Portugal**

Autoridade Tributária e Aduaneira
Customs and Taxes Authority
Rua da Alfândega, 5
1049-006 Lisboa
PORTUGAL
Director: Luísa Nobre; Licence Officer: Maria Oliveira
Tel. +351 218813843
Fax +351 218813986
Email: dsl@at.gov..pt
Website: http://www.dgaiec.min-financas.pt/pt/licenciamento/bens_tecnologias_duplo_uso/bens_tecnologias_-duplo_uso.htm

8.23. **Romania**

Ministry of Foreign Affairs
Department for Export Controls — ANCEX
Str. Polonă nr. 8, sector 1
010501, Bucureşti
ROMANIA
Tel. +40 374306950
Fax +40 374306924
Email: dancex@mae.ro ; dan.marian@mae.ro
Website: www.ancex.ro

8.24. **Slovenia**

Ministry of Economic Development and Technology
Kotnikova ulica 5
SI-1000 Ljubljana
SLOVENIA
Tel. +386 14003564
Fax +386 14003283
Email: gp.mgrt@gov.si
Website: https://www.gov.si/podrocja/podjetnistvo-in-gospodarstvo/mednarodno-gospodarsko-sodelovanje/

8.25. **Slovakia**

For the purposes of Article 9(6) (a) and Article 10(4) of the Regulation:

Ministry of Economy of the Slovak Republic
Department of Trade Measures
Mlynské nivy 44/a
827 15 Bratislava 212
SLOVAKIA
Tel. +421 248547019
Fax +421 243423915
Email: jan.krocka@economy.gov.sk
Website: www.economy.gov.sk

For the purpose of Article 9(6)(b) of the Regulation:

Criminal Office of the Financial Administration
Department of Drugs and Hazardous materials
Coordination Unit
Bajkalská 24
824 97 Bratislava
SLOVAKIA
Tel. +421 2 58251221
Email: Jozef.Pullmann@financnasprava.sk

8.26. **Finland**

Ministry for Foreign Affairs of Finland
Export Control Unit
Eteläesplanadi 4
FI - 00130 HELSINKI
Postal address:
PO Box 176
FI-00023 GOVERNMENT
FINLAND
Tel. +358 295350000
Email: vientivalvonta.um@formin.fi
Website: http://formin.finland.fi/vientivalvonta

8.27. **Sweden**

1. Inspectorate of Strategic Products (ISP) Inspektionen för strategiska produkter

   Visiting address:

   Gullfossgatan 6, Kista
   SE-164 90 Stockholm
   SWEDEN
   Tel. +46 84063100
   Fax +46 84203100
   Email: registrator@isp.se.
   Website: http://www.isp.se/

   ISP is empowered to grant authorisations in all cases except those listed under 2 below

2. Swedish Radiation Safety Authority (Strålsäkerhetsmyndigheten) Section of Nuclear Non-proliferation and Security.

   Solna strandväg 96
   SE-171 16 Stockholm
   SWEDEN
   Tel. +46 87994000
   Fax +46 87994010
   EMail: registrator@ssm.se
   Website: http://www.ssm.se

   The Swedish Radiation Safety Authority is empowered to grant authorisations on and prohibit transit of products in Annex 1, Category 0, to the Regulation (EC) No 428/2009.

8.28. **United Kingdom**

Department for International Trade (DIT)
Export Control Joint Unit (ECJU)
3 Whitehall Place
London SW1A 2AW
Tel. +44 2072154594
EMail: eco.help@trade.gov.uk
Website https://www.gov.uk/export-control-licence

9. **INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 17 OF THE REGULATION (SPECIALLY EMPOWERED CUSTOMS OFFICES)**

Article 17 requires Member States to inform the Commission if they have availed themselves of the option to have customs formalities for the export of dual-use items completed only at customs offices empowered to that end.

The table below provides an overview of the measures taken by Member States, as notified to the Commission. Details on the measures are provided thereafter.

Member State	Have specific customs offices been designated, in relation with Article 17(1), in which customs formalities for the export of dual-use items may be completed?
BELGIUM	NO
BULGARIA	YES
CZECH REPUBLIC	NO
DENMARK	NO
GERMANY	NO
ESTONIA	YES
IRELAND	NO
GREECE	NO
SPAIN	NO
FRANCE	NO
CROATIA	NO
ITALY	NO
CYPRUS	NO
LATVIA	YES
LITHUANIA	YES
LUXEMBOURG	NO
HUNGARY	NO
MALTA	NO
NETHERLANDS	NO
AUSTRIA	NO
POLAND	YES
PORTUGAL	NO
ROMANIA	YES
SLOVENIA	NO

Member State	Have specific customs offices been designated, in relation with Article 17(1), in which customs formalities for the export of dual-use items may be completed?
SLOVAKIA	NO
FINLAND	NO
SWEDEN	NO
UNITED KINGDOM	NO

9.1. **Bulgaria**

The territorial customs offices of the Republic of Bulgaria for strategic goods have been approved by the General Director of the Customs Agency under Ministry of Finance Order No 55/32-11385 of 14 January 2016 (Official Gazette 9/2016). The list of customs offices in Bulgaria through which dual-use items and technologies may leave or enter the EU customs territory can be found on the following website:

http://www.mi.government.bg/en/themes/evropeisko-i-nacionalno-zakonodatelstvo-v-oblastta-na-eksportniya-kontrol-i-nerazprostranenieto-na-or-225-338.html

9.2. **Estonia**

The list of customs offices in Estonia through which dual-use items and technologies may leave or enter the EU customs territory can be found on the following website:

http://www.emta.ee/index.php?id=24795

9.3. **Latvia**

The list of customs offices in Latvia through which dual-use items and technologies may leave or enter the EU customs territory can be found on the following website:

https://www.vid.gov.lv/lv/muitas-kontroles-un-robezkontroles-punkti

9.4. **Lithuania**

The list of customs offices in Lithuania through which dual-use items and technologies may leave or enter the EU customs territory can be found on the following website:

https://www.lrmuitine.lt/web/guest/verslui/apribojimai/bendra#en

9.5. **Poland**

The list of customs offices in Poland through which dual-use items and technologies may leave or enter the EU customs territory can be found on the following website: http://isap.sejm.gov.pl/DetailsServlet?id=WDU20150000136&min=1

9.6. **Romania**

The list of customs offices in Romania through which dual-use items and technologies may leave or enter the EU customs territory can be found on the following website: https://www.customs.ro/agenti-economici/instruirea-operatorilor-economici/vamuirea-marfurilor/produse-strategice

10. **INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 22(5) OF THE REGULATION (INTRA-COMMUNITY TRANSFERS)**

Article 22(5) stipulates that Member States imposing an authorisation requirement for the transfer from their territory to another Member State of items not listed in Annex IV to the Regulation (Annex IV lists items which do not benefit from freedom of movement in the single market) must inform the Commission, which must in turn publish this information in the *Official Journal of the European Union*.

The table below provides an overview of the measures taken by Member States, as notified to the Commission. Details on the measures are provided thereafter.

Member State	Have specific measures been taken to extend intra-EU transfer controls in relation with Article 22(2)?
BELGIUM	NO
BULGARIA	YES
CZECH REPUBLIC	YES
DENMARK	NO
GERMANY	YES
ESTONIA	YES
IRELAND	NO
GREECE	YES
SPAIN	NO
FRANCE	NO
CROATIA	NO
ITALY	NO
CYPRUS	NO
LATVIA	NO
LITHUANIA	NO
LUXEMBOURG	YES
HUNGARY	YES
MALTA	NO
NETHERLANDS	YES
AUSTRIA	NO
POLAND	NO
PORTUGAL	NO
ROMANIA	NO
SLOVENIA	NO
SLOVAKIA	YES
FINLAND	NO
SWEDEN	NO
UNITED KINGDOM	YES

10.1. **Bulgaria**

Bulgaria has extended intra-EU transfer controls as set out in Article 22(2) of the Regulation and has introduced a requirement for additional information to be provided to the competent authorities concerning certain intra-EU transfers as set out in Article 22(9) of the Regulation.

(Article 51, par. 8 and par. 9 of the Defence-Related Products and Dual-Use Items and Technologies Export Control Act, State Gazette No. 26/29.03.2011, effective 30.06.2012).

10.2. **Czech Republic**

Act No 594/2004 Coll. extends controls with regard to intra-EU transfers from the Czech Republic as set out in Article 22(2) of the Regulation.

10.3. **Germany**

Section 11 of the Foreign Trade and Payments Regulation of 2 August 2013 (*Aussenwirtschaftsverordnung* - AWV) extends controls with regard to intra-EU transfers from Germany as set out in Article 22(2) of the Regulation.

10.4. **Estonia**

The Strategic Goods Act §3(6) extends controls with regard to intra-EU transfers as stipulated in Article 22(2) of the Regulation.

10.5. **Greece**

Section 3.4 of Ministerial Decision No 121837/E3/21837 of 28 September 2009 extends controls with regard to intra-EU transfers from Greece as set out in Article 22(2) of the Regulation.

10.6. **Luxembourg**

An authorization requirement may be imposed for the transfer of dual-use items, other than those listed in Annex IV to the Regulation, from the territory of the Grand Duchy of Luxembourg to another Member State in the cases provided for in Article 22 (2) of the Regulation.

(Law of 27 June 2018 on export control, Article 44).

10.7. **Hungary**

Par. 16 of the Government Decree No 13 of 2011 'on the foreign trade authorisation of dual-use items' adopts licensing requirement on listed dual-use items for transfers within the EU if the conditions stipulated in Article 22 (2) of the Regulation apply.

10.8. **The Netherlands**

An authorisation requirement for intra-EU transfers may be imposed in individual cases with regard to dual-use items.

(Article 4a(3) of the Decree for Strategic Goods - Besluit strategische goederen).

10.9. **Slovakia**

Par. 23(2) of the Act No 39/2011 Coll. extends controls with regard to intra-EU transfers from the Slovak Republic, as set out in Article 22(2) of the Regulation.

10.10. **United Kingdom**

Article 7 of the Export Control Order 2008 extends controls with regard to intra-EU transfer from the UK, as set out in Article 22(2) of Regulation (EC) No 428/2009.

11. **INFORMATION PROVIDED BY MEMBER STATES IN CONFORMITY WITH ARTICLE 22(9) OF THE REGULATION (INTRA-COMMUNITY TRANSFERS)**

Article 22(9) stipulates that a Member States may require that, for the transfer from their territory to another Member State of items listed in Category 5, Part 2 of Annex I, which are not listed in Annex IV to the Regulation, additional information concerning those items shall be provided to the competent authorities of that Member State.

The table below provides an overview of the measures taken by Member States, as notified to the Commission. Details on the measures are provided thereafter.

Member State	Have specific measures been taken to extend intra-EU transfer controls in relation with Article 22(2)?
BELGIUM	NO
BULGARIA	YES
CZECH REPUBLIC	NO

Member State	Have specific measures been taken to extend intra-EU transfer controls in relation with Article 22(2)?
DENMARK	NO
GERMANY	NO
ESTONIA	NO
IRELAND	NO
GREECE	NO
SPAIN	NO
FRANCE	NO
CROATIA	NO
ITALY	NO
CYPRUS	NO
LATVIA	NO
LITHUANIA	NO
LUXEMBOURG	YES
HUNGARY	NO
MALTA	NO
NETHERLANDS	NO
AUSTRIA	NO
POLAND	NO
PORTUGAL	NO
ROMANIA	NO
SLOVENIA	NO
SLOVAKIA	NO
FINLAND	NO
SWEDEN	NO
UNITED KINGDOM	NO

11.1. **Bulgaria**

For the transfer from the territory of the Republic of Bulgaria to the territory of another Member State of dual-use items listed in Category 5, Part 2 of Annex I and which are not listed in Annex IV to the Regulation, the Interministerial Commission may require, from the person making the transfer, additional information on the items.

(Article 51 (9) of the Defence-Related Products and Dual-Use Items and Technologies Export Control Act, State Gazette No. 26/29.03.2011, effective 30.06.2012).

11.2. **Luxembourg**

For the transfer from the territory of the Grand Duchy of Luxembourg to the territory of another Member State of dual-use items listed in Category 5, Part 2 of Annex I and which are not listed in Annex IV to the Regulation, the following additional information shall be provided in the frame of the authorization application:

1. Indication of the commercial reference of the item, its general description and features;

2. Presentation of the cryptology services to be provided;

3. Presentation of the implementation of the algorithms;
4. Presentation of security norms or standards;
5. Presentation of the type of data concerned by the service;
6. Document relating to the technical specifications of the item (in 12 points)

(Grand Duke Regulation of 14 December 2018, Article 10(1), paragraph 1 sub 2° and paragraph 2 sub 4°, and Annex 15).