

## **EXPORT LICENCE**

**Open General Export Licence (International Non-Proliferation Regime Decontrols: Dual-Use Items)** dated 19 July 2011 granted by the Secretary of State.

The Secretary of State, in exercise of powers conferred by Articles 9(2) and (4) of Council Regulation (EC) No. 428/2009 (“the Regulation”)<sup>(a)</sup> and Article 26 of the Export Control Order 2008 (“the Order”)<sup>(b)</sup>, hereby grants the following Open General Export Licence:

### *Community Licence*

1. This is general export authorisation under the terms of Article 9(2) of Council Regulation (EC) No. 428/2009. This authorisation, in accordance with Article 9(2) of that Regulation, is valid in all Member States of the European Community and is a Community Licence for the purposes of the Order.
2. Subject to the following provisions of this Licence, any item specified in the Schedule 1 hereto, may be exported from the United Kingdom, or from any other Member State, by any person established in the United Kingdom, to any destination in Schedule 2.

### *Exclusions*

3. This Licence does not authorise the export of items:

---

(a) O.J. No. L134 29.5.09. p.1.

(b) S.I. 2008/3231

- (1) if the exporter has been informed by a competent authority of the Member State where he is established that they are or may be intended, in their entirety or in part
  - (a) for use in connection with the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons, or other nuclear explosive devices or the development, production, maintenance or storage of missiles capable of delivering such weapons,
  - (b) for a military end use and the purchasing country or country of destination is subject to an arms embargo decided by a Decision or Common Position adopted by the Council of the European Union or a decision of the OSCE or imposed by a binding resolution of the Security Council of the United Nations, or
  - (c) for use as parts or components of military items listed in the national military list that have been exported from the territory of the Member State concerned without authorisation or in violation of an authorisation prescribed by national legislation of that Member State;
- (2) if the exporter is aware that the items in question are intended, in their entirety or in part, for any of the uses referred to in sub-paragraph (1);
- (3) if the exporter has grounds for suspecting that the items in question are or may be intended, in their entirety or in part, for any of the uses referred to in sub-paragraph (1)(a), unless the exporter has

made all reasonable enquiries as to their proposed use and is satisfied that the items will not be so used;

- (4) if their export is controlled by virtue of any entry in Annex I to the Regulation not specified in Schedule 1; or
- (5) where the exporter has, at the time of export, been served with a notice which suspends or revokes his ability to use this Licence pursuant to article 32(1) of the Order, unless the period of suspension or revocation has expired.

#### *Conditions and Requirements*

- 4. The authorisation in paragraph 1 is subject to the following conditions:
  - (1) except in the case of an export of technology by telephone, fax or other electronic media, official and commercial export documentation accompanying the items shall include a note stating either:
    - (a) “These items are being exported under the Open General Export Licence (International Non-Proliferation Regime Decontrols: Dual-Use Items)”; or
    - (b) the SPIRE reference (in the form ‘GBOGE 20XX/XXXXX’) of the exporter’s registration in respect of this licence,which shall be presented to an officer of HM Revenue and Customs if so requested;
  - (2) Where the exporter has received a warning letter sent on behalf of the Secretary of State which identifies failure to comply with this Licence or a provision of applicable export control legislation, the

exporter shall take such steps as are identified in that warning letter (within the timescale stated) in order to restore compliance with the Licence. Without prejudice to article 34 of the Order, failure to comply with this condition may result in this Licence being revoked or suspended until the exporter can show compliance to the satisfaction of the Export Control Organisation. The exporter will be notified in writing of any such suspension or revocation and the initial period of such suspension or revocation. Where at the end of this initial period, the exporter has not shown compliance to the satisfaction of the Export Control Organisation, the period of suspension or revocation may be extended. The exporter will be notified of such an extension in writing.

### *Registration*

5. The requirements of Article 28 of the Order **shall** apply to this licence.

### *Prohibitions not affected by this Licence*

6. Nothing in this Licence affect any prohibition or restriction on the export of any items other than under the Regulation or the Order, and this licence does not confer any licence or permission under, or for the purposes of, any enactment other than the Regulation and the Order.

### *Interpretation*

7. For the purpose of this Licence:
  - (1) “entry” includes part of an entry;

(2) unless the context otherwise requires, any other expression used in this Licence has the same meaning as in the Regulation or the Order as appropriate.

*Entry into Force*

8. This Licence comes into force on Wednesday 27 July 2011.
9. The Open General Export Licence (International Non-Proliferation Regime Decontrols: Dual-Use Items) dated 24 February 2011 is hereby revoked.

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

## **SCHEDULE 1**

### **ITEMS CONCERNED**

#### **Items subject to de-control as a result of review of the Wassenaar Arrangement (WA), Missile Technology Control Regime (MTCR) Technical Annexes, Australia Group (AG) or the Nuclear Suppliers Group (NSG) during 2009/2010.**

Items specified in the following control entries in Annex I to Council Regulation (EC) No. 428/2009.

*Note 1: Where definitions for items in quotation marks are not listed in each relevant Category these can be found in Annex I to Council Regulation (EC) No. 428/2009.*

#### Category 1

*Note 2: The following entry 1A002 does not apply to composite structures, laminates, and manufactures thereof, specially designed for use in the following systems;*

- 1. Complete rocket systems (including space launch vehicles and sounding rockets) capable of a "range" equal to or greater than 300 km.*
- 2. Complete unmanned aerial vehicle systems capable of a "range" equal to or greater than 300 km.*
- 3. Complete subsystems usable in the systems specified in 1 or 2 above.*

*Note 3: The following entry 1A002 does not apply to composite structures in the form of tubes having both of the following characteristics:*

- a. An inside diameter of between 75 and 400 mm; and*
- b. Made with any of the "fibrous or filamentary materials" specified in 1C210.*

#### **1A002., except**

"Composite" structures or laminates, having any of the following:

- a. Consisting of an organic "matrix" and materials specified below by 1C010.c., 1C010.d. or 1C010.e.; or
- b. Consisting of a metal or carbon "matrix", and any of the following:

1. Carbon "fibrous or filamentary materials" having all of the following:
  - a. A "specific modulus" exceeding  $10.15 \times 10^6$  m; and
  - b. A "specific tensile strength" exceeding  $17.7 \times 10^4$  m; or
2. Materials specified below by 1C010.c.
- c. Finished items as specified above by 1A002.a. and 1A002.b. that are specially designed for a specific application.

*Note 4: For "Fibrous or filamentary materials" and thermoset resin impregnated continuous "yarns", "rovings", "tows" or "tapes" see 1C210.*

1C010., **except**

"Fibrous or filamentary materials" as follows:

- a. Organic "fibrous or filamentary materials", having all of the following:
  1. "Specific modulus" exceeding  $12.7 \times 10^6$  m; and
  2. "Specific tensile strength" exceeding  $23.5 \times 10^4$  m;
- b. Carbon "fibrous or filamentary materials", having all of the following:
  1. "Specific modulus" exceeding  $14.65 \times 10^6$  m; and
  2. "Specific tensile strength" exceeding  $26.82 \times 10^4$  m;
- c. Inorganic "fibrous or filamentary materials", having all of the following:
  1. "Specific modulus" exceeding  $2.54 \times 10^6$  m; and
  2. Melting, softening, decomposition or sublimation point exceeding 1,922 K (1,649°C) in an inert environment;
- d. "Fibrous or filamentary materials", having any of the following:
  1. Composed of any of the following:
    - a. Polyetherimides specified by 1C008.a.; or
    - b. Materials specified by 1C008.b. to 1C008.f.; or
  2. Composed of materials specified above by 1C010.d.1.a. or 1C010.d.1.b. and "commingled" with other fibres specified above by 1C010.a., 1C010.b. or 1C010.c.;

*Note 5: The following entry 1C010.e. does not apply for the goods specified in Note 2 above;*

- e. Fully or partially resin-impregnated or pitch-impregnated "fibrous or filamentary materials" (prepregs), metal or carbon-coated "fibrous or filamentary materials" (preforms) or "carbon fibre preforms", having all of the following:
  1. Having any of the following:
    - a. Inorganic "fibrous or filamentary materials" specified above by 1C010.c.; or

- b. Organic or carbon "fibrous or filamentary materials", having all of the following:
  - 1. "Specific modulus" exceeding  $10.15 \times 10^6$  m; and
  - 2. "Specific tensile strength" exceeding  $17.7 \times 10^4$  m; and
- 2. Having any of the following:
  - a. Resin or pitch specified by 1C008. or 1C009.b.;
  - b. 'Dynamic Mechanical Analysis glass transition temperature (DMA  $T_g$ )' equal to or exceeding 453 K (180°C) and having a phenolic resin; or
  - c. 'Dynamic Mechanical Analysis glass transition temperature (DMA  $T_g$ )' equal to or exceeding 505 K (232°C) and having a resin or pitch, not specified by 1C008. or 1C009.b., and not being a phenolic resin;

***Technical Note***

*The 'Dynamic Mechanical Analysis glass transition temperature (DMA  $T_g$ )' for materials specified above by 1C010.e. is determined using the method described in ASTM D 7028-07, or equivalent national standard, on a dry test specimen. In the case of thermoset materials, degree of cure of a dry test specimen shall be a minimum of 90% as defined by ASTM E 2160-04 or equivalent national standard.*

1C351.a.18.

1C351.a.30., **as follows**

South American haemorrhagic fever – Flexal.

1C351.a.31., **as follows**

Pulmonary & renal syndrome-haemorrhagic fever virus - Puumala.

1E001. "Technology" according to the General Technology Note for the "Development" or "production" of materials specified above in 1A002, 1C010, 1C351.a.30 or 1C351.a.31.

**Category 2**

2A001.b., **except**

Radial ball bearings having all tolerances specified in accordance with ISO 492 Tolerance Class 2 (or ANSI/ABMA Std 20 Tolerance Class

ABEC-9 or other national equivalents), or better and having all the following characteristics:

- a. An inner ring bore diameter between 12 and 50 mm;
- b. An outer ring outside diameter between 25 and 100 mm; and
- c. A width between 10 and 20 mm.

2D001. "Software", other than that specified in 2D002, specially designed or modified for the "development", "production" or "use" of equipment specified above in 2A001.b.

2E001. "Technology" according to the General Technology Note for the "development" of equipment specified above in 2A001.b. or "software" specified above in 2D001.

2E002. "Technology" according to the General Technology Note for the "production" of equipment specified above in 2A001.b.

### Category 3

3A001.a.4.

*Note: This does not apply to storage integrated circuits controlled by 3A001.a.2.*

3A001.a.5., **except**

Analogue-to-Digital Converter (ADC) and Digital-to-Analogue Converter (DAC) integrated circuits, as follows:

- a. ADCs having any of the following:
  1. Resolution of 8 bit or more, but less than 10 bit, with an output rate greater than 500 million words per second;
  2. Resolution of 10 bit or more, but less than 12 bit, with an output rate greater than 300 million words per second;
  3. Resolution of 12 bit with an output rate greater than 200 million words per second;
  4. Resolution of more than 12 bit but equal to or less than 14 bit with an output rate greater than 125 million words per second; or
  5. Resolution of more than 14 bit with an output rate greater than 20 million words per second;

#### Technical Notes:

1. *A resolution of n bit corresponds to a quantisation of 2<sup>n</sup> levels.*
2. *The number of bits in the output word is equal to the resolution of the ADC.*
3. *The output rate is the maximum output rate of the converter, regardless of architecture or oversampling.*

4. *For 'multiple channel ADCs', the outputs are not aggregated and the output rate is the maximum output rate of any single channel.*
5. *For 'interleaved ADCs' or for 'multiple channel ADCs' that are specified to have an interleaved mode of operation, the outputs are aggregated and the output rate is the maximum combined total output rate of all of the outputs.*
6. *Vendors may also refer to the output rate as sampling rate, conversion rate or throughput rate. It is often specified in megahertz (MHz) or mega samples per second (MSPS).*
7. *For the purpose of measuring output rate, one output word per second is equivalent to one Hertz or one sample per second.*
8. *'Multiple channel ADCs' are defined as devices which integrate more than one ADC, designed so that each ADC has a separate analogue input.*
9. *'Interleaved ADCs' are defined as devices which have multiple ADC units that sample the same analogue input at different times such that when the outputs are aggregated, the analogue input has been effectively sampled and converted at a higher sampling rate.*

- b. Digital-to-Analogue Converters (DAC) having any of the following:
1. Resolution of 10 bit or more with an 'adjusted update rate' of 3,500 MSPS or greater; or
  2. Resolution of 12 bit or more with an 'adjusted update rate' of equal to or greater than 1,250 MSPS and having any of the following:
    - a. Settling time less than 9 ns to 0.024% of full scale from a full scale step; or
    - b. 'Spurious Free Dynamic Range' (SFDR) greater than 68 dBc (carrier) when synthesizing a full scale analogue signal of 100 MHz or the highest full scale analogue signal frequency specified below 100 MHz.

Technical Notes:

1. *'Spurious Free Dynamic Range' (SFDR) is defined as the ratio of the RMS value of the carrier frequency (maximum signal component) at the input of the DAC to the RMS value of the next largest noise or harmonic distortion component at its output.*
2. *SFDR is determined directly from the specification table or from the characterisation plots of SFDR versus frequency.*
3. *A signal is defined to be full scale when its amplitude is greater than -3 dBfs (full scale).*
4. *'Adjusted update rate' for DACs:*
  - a. *For conventional (non-interpolating) DACs, the 'adjusted update rate' is the rate at which the digital signal is converted to an analogue signal and the output analogue values are changed by the DAC. For DACs where the interpolation mode may be bypassed (interpolation factor of one), the DAC should be considered as a conventional (non-interpolating) DAC.*
  - b. *For interpolating DACs (oversampling DACs), the 'adjusted update rate' is defined as the DAC update rate divided by the smallest interpolating factor. For interpolating DACs, the 'adjusted update rate' may be referred to by different terms including:*
    - *input data rate*
    - *input word rate*
    - *input sample rate*
    - *maximum total input bus rate*
    - *maximum DAC clock rate for DAC clock input.*

3A002.b., **except**

"Frequency synthesizer" "electronic assemblies" having a "frequency switching time" from one selected frequency to another as specified by any of the following:

- a. Less than 312 ps;
- b. Less than 100  $\mu$ s for any frequency change exceeding 1.6 GHz within the synthesized frequency range exceeding 3.2 GHz but not exceeding 10.6 GHz;
- c. Less than 250  $\mu$ s for any frequency change exceeding 550 MHz within the synthesized frequency range exceeding 10.6 GHz but not exceeding 31.8 GHz;
- d. Less than 500  $\mu$ s for any frequency change exceeding 550 MHz within the synthesized frequency range exceeding 31.8 GHz but not exceeding 43.5 GHz; or
- e. Less than 1 ms within the synthesized frequency range exceeding 43.5 GHz.

3A002.c., **except**

Radio-frequency "signal analysers" as follows:

1. "Signal analysers" having a 3 dB resolution bandwidth (RBW) exceeding 10 MHz anywhere within the frequency range exceeding 31.8 GHz but not exceeding 37.5 GHz;
2. "Signal analysers" having Displayed Average Noise Level (DANL) less (better) than  $-150$  dBm/Hz anywhere within the frequency range exceeding 43.5 GHz but not exceeding 70 GHz;
3. "Signal analysers" having a frequency exceeding 70 GHz;
4. "Dynamic signal analysers" having a "real-time bandwidth" exceeding 40 MHz;

*Note: 3.A.2.c.4. does not apply to those "dynamic signal analysers" using only constant percentage bandwidth filters (also known as octave or fractional octave filters).*

3A002.d., **except**

Frequency synthesized signal generators producing output frequencies, the accuracy and short term and long term stability of which are controlled, derived from or disciplined by the internal master reference oscillator and having any of the following:

1. Specified to generate a 'pulse duration' of less than 100 ns anywhere within the synthesized frequency range exceeding 31.8 GHz but not exceeding 70 GHz;
2. An output power exceeding 100 mW (20 dBm) anywhere within the synthesized frequency range exceeding 43.5 GHz but not exceeding 70 GHz;
3. A "frequency switching time" as specified by any of the following:
  - a. Less than 312 ps;
  - b. Less than 100  $\mu$ s for any frequency change exceeding 1.6 GHz within the synthesized frequency range exceeding 3.2 GHz but not exceeding 10.6 GHz;
  - c. Less than 250  $\mu$ s for any frequency change exceeding 550 MHz within the synthesized frequency range exceeding 10.6 GHz but not exceeding 31.8 GHz;
  - d. Less than 500  $\mu$ s for any frequency change exceeding 550 MHz within the synthesized frequency range exceeding 31.8 GHz but not exceeding 43.5 GHz;
  - e. Less than 1 ms for any frequency change exceeding 550 MHz within the synthesized frequency range exceeding 43.5 GHz but not exceeding 56 GHz; or
  - f. Less than 1 ms for any frequency change exceeding 2.2 GHz within the synthesized frequency range exceeding 56 GHz but not exceeding 70 GHz;
4. At synthesized frequencies exceeding 3.2 GHz but not exceeding 70 GHz, and having all of the following:
  - a. A single sideband (SSB) phase noise, in dBc/Hz, better than  
 $-(126+20 \log_{10}F-20 \log_{10}f)$  for  $10 \text{ Hz} < F < 10 \text{ kHz}$ ; and
  - b. A single sideband (SSB) phase noise, in dBc/Hz, better than  
 $-(114+20 \log_{10}F-20 \log_{10}f)$  for  $10 \text{ kHz} \leq F < 500 \text{ kHz}$ ; or
5. A maximum synthesized frequency exceeding 70 GHz.

**3A002.e., except**

Network analysers having any of the following:

1. Maximum operating frequency exceeding 43.5 GHz and output power exceeding 31.62 mW (15 dBm); or
2. Maximum operating frequency exceeding 70 GHz.

**3B001.c., except**

Anisotropic plasma dry etching equipment having all of the following:

1. Designed or optimized to produce critical dimensions of 65 nm or less; and
2. Within-wafer non-uniformity equal to or less than 10%  $3\sigma$  measured with an edge exclusion of 2 mm or less.

**3B001.d., except**

Plasma enhanced Chemical Vapor Deposition (CVD) equipment as follows:

1. Equipment with cassette-to-cassette operation and load-locks, and designed according to the manufacturer's specifications or optimised for use in the production of semiconductor devices with critical dimensions of 65 nm or less;
2. Equipment specially designed for equipment specified in 3B001.e. and designed according to the manufacturer's specifications or optimised for use in the production of semiconductor devices with critical dimensions of 65 nm or less;\_

**3B001.e., except**

Automatic loading multi-chamber central wafer handling systems having all of the following:

1. Interfaces for wafer input and output, to which more than two functionally different 'semiconductor process tools' specified in 3B001.a., 3B001.b., 3B001.c. or 3B001.d. are designed to be connected; and
2. Designed to form an integrated system in a vacuum environment for 'sequential multiple wafer processing'.

*Note: This does not apply to automatic robotic wafer handling systems specially designed for parallel wafer processing.*

*Technical Notes:*

1. *For the purpose of 3B001.e., 'semiconductor process tools' refers to modular tools that provide physical processes for semiconductor production that are functionally different, such as deposition, etch, implant or thermal processing.*

2. For the purpose of 3B001.e., 'sequential multiple wafer processing' means the capability to process each wafer in different 'semiconductor process tools', such as by transferring each wafer from one tool to a second tool and on to a third tool with the automatic loading multi-chamber central wafer handling systems.

3B001.f.1., **except**

Lithography equipment as follows:

1. Align and expose step and repeat (direct step on wafer) or step and scan (scanner) equipment for wafer processing using photo-optical or X-ray methods and having any of the following:
  - a. A light source wavelength shorter than 245 nm; or
  - b. Capable of producing a pattern with a 'Minimum Resolvable Feature size' (MRF) of 95 nm or less;

Technical Note:

The 'Minimum Resolvable Feature size' (MRF) is calculated by the following formula:

$$MRF = \frac{(an\ exposure\ light\ source\ wavelength\ in\ nm) \times (K\ factor)}{numerical\ aperture}$$

where the K factor = 0.35

3B001.f.2., **except**

Imprint lithography equipment capable of producing features of 95 nm or less;

Note: 3.B.1.f.2. includes:

- Micro contact printing tools
- Hot embossing tools
- Nano-imprint lithography tools
- Step and flash imprint lithography (S-FIL) tools

3D001. "Software" specially designed for the "development" or "production" of equipment specified above in 3A002.b., 3A002.c., 3A002.d., 3A002.e., 3B001.c., 3B001.d., 3B001.e., 3B001.f.1. or 3B001.f.2.

3E001. "Technology" according to the General Technology Note for the "development" or "production" of equipment specified above in 3A001.a.4., 3A001.a.5., 3A002.b., 3A002.c., 3A002.d., 3A002.e., 3B001.c., 3B001.d., 3B001.e., 3B001.f.1. or 3B001.f.2..

## Category 4

### 4A003.b, **except**

"Digital computers" having an 'Adjusted Peak Performance' ('APP') exceeding 1.5 Weighted TeraFLOPS (WT).

### 4A003.g., **except**

Equipment specially designed for aggregating the performance of "digital computers" by providing external interconnections which allow communications at unidirectional data rates exceeding 2.0 Gbyte/s per link.

4D001.a. "Software" specially designed or modified for the "development", "production" or "use" of equipment specified above in 4A003.b. or 4A003.g. or specified below in 4D001.b.1.

### 4D001.b.1., **except**

"Software", other than that specified in 4D001.a., specially designed or modified for the "development" or "production" of equipment as follows:

1. "Digital computers" having an 'Adjusted Peak Performance' ('APP') exceeding 0.25 Weighted TeraFLOPS (WT).

4E001.a. "Technology" according to the General Technology Note, for the "development" or "production" or "use" of equipment specified above in 4A003.b. or 4A003.g. or "software" specified above in 4D001.a. or 4D001.b.1.

### 4E001.b.1., **except**

"Technology", other than that specified in 4E001.a., specially designed or modified for the "development" or "production" of equipment as follows:

1. "Digital computers" having an 'Adjusted Peak Performance' ('APP') exceeding 0.25 Weighted TeraFLOPS (WT).

## Category 5 Part 1

5A001.c.2.

5B001.b.1.

5B001.b.3.

5D001.a. "Software" specially designed or modified for the "development", "production" or "use" of equipment, functions or features, specified in 5A001.c.2.

5D001.b. "Software" designed or modified to support "technology" specified below in 5E001.c.1. or 5E001.c.3.

5D001.c. Specific "software" specially designed or modified to provide characteristics, functions or features of equipment, specified above in 5A001.c.2., 5B001.b.1. or 5B001.b.3.

5D001.d.1.

5D001.d.3.

5E001.a. "Technology" according to the General Technology Note for the "development", "production" or "use" (excluding operation) of equipment functions or features specified above in 5A001.c.2. or "software" specified above in 5D001.a.

5E001.c.1., **except**

"Technology" according to the General Technology Note for the "development" or "production" of the following:

1. Equipment employing digital techniques designed to operate at a "total digital transfer rate" exceeding 50 Gbit/s.

5E001.c.3., **except**

Equipment employing "optical switching" and having a switching time less than 1 ms.

## Category 5 Part 2

5A002., **as follows**

Goods described in Category 5–Part 2 incorporating or using "cryptography" and meeting all of the following:

- a. The primary function or set of functions is not any of the following:
  1. "Information security";
  2. A computer, including operating systems, parts and components therefor;
  3. Sending, receiving or storing information (except in support of entertainment, mass commercial broadcasts, digital rights management or medical records management); or
  4. Networking (includes operation, administration, management and provisioning);

- b. The cryptographic functionality is limited to supporting their primary function or set of functions; and
- c. When necessary, details of the items are accessible and will be provided, upon request, to the appropriate authority in the exporter's country in order to ascertain compliance with conditions described in paragraphs a. and b. above.

5D002.a. "Software" specially designed or modified for the "development", "production" or "use" of equipment specified above in 5A002.

5E002. "Technology" according to the General Technology Note for the "development", "production" or "use" of equipment specified above in 5A002 or "software" specified above in 5D002.a.

5A002., **as follows**

Equipment, having no functionality specified in 5A002.a.2., 5A002.a.4., 5A002.a.7., or 5A002.a.8., where all cryptographic capability specified in 5A002.a. meets any of the following:

- 1. It cannot be used; or
- 2. It can only be made useable by means of "cryptographic activation".

*Note This licence does not permit the export of "cryptographic activation" methods specified in 5A002.a., 5D002.a. or 5E002.*

"Cryptographic activation"

Any technique that activates or enables cryptographic capability, via a secure mechanism that is implemented by the manufacturer of the item and is uniquely bound to the item or customer for which the cryptographic capability is being activated or enabled (e.g., a serial number-based licence key or an authentication instrument such as a digitally signed certificate).

Category 6

6A003.b.2., **as follows**

Scanning cameras and scanning camera systems, specially designed for any of the following:

- a. Industrial or civilian photocopiers;
- b. Image scanners specially designed for civil, stationary, close proximity scanning applications (e.g., reproduction of images or print contained in documents, artwork or photographs); or
- c. Medical equipment.

6A005.c.1., **as follows**

Dye lasers or other liquid lasers, having a multimode output and a wavelength of 150 nm or more but not exceeding 600 nm and all of the following:

1. Output energy less than 1.5 J per pulse or a "peak power" less than 20 W; and
2. Average or CW output power less than 20 W.

6A005.d.1.b.1., **except**

Individual, multiple-transverse mode semiconductor "lasers" having the following:

- a. Wavelength of less than 1,400 nm and average or CW output power, exceeding 15 W;

6A005.d.1.c.1., **except**

Individual semiconductor "laser" 'bars' having the following:

- a. Wavelength of less than 1,400 nm and average or CW output power, exceeding 100 W;

6A008.l.2.

6A008.l.3.

6D001. "Software" specially designed for the "development" or "production" of equipment specified above in 6A005.c.1, 6A005.d.1.b.1. or 6A005.d.1.c.1.

6D002. "Software" specially designed for the "use" of equipment specified above in 6A008.l.2. or 6A008.l.2.

6D003.h.1.a.

6E001. "Technology" according to the General Technology Note for the "development" of equipment or "software" specified above in 6A003.b.2., 6A005.c.1., 6A005.d.1.b.1., 6A005.d.1.c.1., 6A008.l.2., 6A008.l.2., 6D001. or 6D003.h.1.a.

6E002 "Technology" according to the General Technology Note for the "production" of equipment specified above in 6A003.b.2., 6A005.c.1., 6A005.d.1.b.1., 6A005.d.1.c.1., 6A008.l.2. or 6A008.l.2.

## **SCHEDULE 2**

### **DESTINATIONS CONCERNED**

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

***All destinations other than in:***

- The customs territory of the EU;
- Australia, Canada, Japan, New Zealand, Norway, Switzerland, USA;
- Iran, North Korea.

#### **NOTE:**

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

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

## **EXPLANATORY NOTE**

(This note is not part of the licence)

1. This Open General Export Licence permits, without further authority but subject to certain conditions, the export of dual-use items from the United Kingdom or from any other Member State of the European Community (EC), where the exporter is established in the United Kingdom, the export of items described in Schedule 1 to the licence to any destination in Schedule 2 to the Licence.
2. The licence is intended to allow the export of items which were the subject of a review in any of the international non-proliferation regimes (WA, MTCR, AG or NSG) in 2009/2010 and agreed should be de-controlled.
3. The licence is intended as an interim measure whilst national and EU legislation is being prepared to remove the items from export control in line with changes agreed by Member States of the International Non-Proliferation Regimes.
4. The Export Control Order 2008 (“the Order”) contain certain registration and record keeping requirements which apply to persons using this Licence.
  - (a) Under Article 28 of the Order, an exporter who exports items under the authority of this Licence must, before or within 30 days after the first occasion he makes use of the licence, provide details to the Secretary of State of his name and the address where copies of the records referred to above may be inspected. This notification must be made via the Export Control Organisation’s (ECO) electronic licensing system, SPIRE, at [www.spire.berr.gov.uk](http://www.spire.berr.gov.uk)
  - (b) Under Article 29 of the Order, any person established in the United Kingdom who exports items from the United Kingdom or another Member State under the authority of this Licence must maintain and retain certain records

relating to each such export for at least three years from the end of the calendar year in which the export takes place, and must permit such records to be inspected and copied by any person authorised by the Secretary of State.

5. The Secretary of State has the power to suspend or revoke licences at any time and in such circumstances and on such terms as he thinks fit. If an exporter receives written notice to this effect, he will be prevented from relying on this Licence. The power to suspend may be used in addition to criminal prosecution or as an alternative. Suspension may occur for example where an exporter is being investigated or prosecuted in relation to a possible criminal offence, or has been found guilty of a criminal offence under the export control legislation. It may also be used in situations where an exporter has breached the conditions of the Licence and failed to take corrective action within a reasonable period (see condition 4(2)).

6. Where the ECO identifies failures in compliance with licence conditions or the legislation during a compliance visit, the ECO may send a warning letter to the exporter listing the improvements that need to be made to ensure compliance. The letter will set out the timeframe within which these improvements must be completed. Failure to complete these improvements may lead to the exporter's ability to use the licence being suspended for a period of time.

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

8. This Licence does not extend to any prohibition under legislation other than Council Regulation (EC) No. 428/2009 or the Order: in particular it does not extend to prohibitions in other legislation implementing United Nations sanctions.