



Department  
for Business  
Innovation & Skills

UPDATED OIELS PROCESS

Guidance for exporters

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## New OIELs process

An updated OIELs Process has been introduced. Several changes have been made to the application form and the process. These are intended to:

- help and provide assistance to the exporter before and during the application stage
- streamline the application process,
- provide additional information to the ECO
- make the process more efficient and customer-friendly
- encourage the greater use of OIELs

The ECO Helpline now features an 'OIELs help' facility to allow the OIELs team to assist exporters with:

- the new 'business justification'
- formatting and crafting a good quality OIEL
- the new 'goods description'

We have also updated and expanded our internal ECO desk instructions for OIELs to try and ensure greater consistency between licensing case officers.

OIELs will still cover multiple shipments of specific controlled goods to named countries, but the industrial/government sectors within those countries will now be specified on the application form (drop down menus will assist). The names of consignees or end-users will not normally be required unless specifically requested during the completion of the application form (nuclear-related trigger list items for 'maritime anti-piracy' applications, for example) or subsequently by advisers from Other Government Departments (OGDs). This contrasts with [Standard Individual Export Licences \(SIELs\)](#), which always name these parties. Instead, the sectors in which the goods are to be used must be specified on the OIEL application: Armed Forces, Navy, Army, Air Force, Oil and Gas Industries, etc.

### Keeping accurate records

If you use an OIEL, you must keep records of all shipments of your goods for the period of the licence. These records must be made available for inspection by the Department for Business, Innovation & Skills (BIS) Compliance Inspector during a compliance audit.

For new OIEL users, we would normally schedule a first compliance visit within 6 to 8 months of you receiving your OIEL to undertake an audit of your export documentation. The Compliance Inspector will be your first-point-of-contact for any questions you might have regarding the terms and conditions of your licence. You can [download guidance on compliance visits](#).

### New types of OIEL

- Through Life Support Military Goods OIEL (using the Military/Dual-Use OIEL template) – introduced February 2015
- ECO also plans to add an Economic Free Zone (EFZ) OIEL for dual-use goods

TIP: You may wish to consider having separate OIELs for EU and non-EU destinations. (An OIEL for military goods will be issued for three years where there are destinations within the EU and five years if all destinations are outside the EU. If there is a mixture of EU and non-EU destinations the OIEL will be issued for three years.)

### Through Life Support OIEL (introduced February 2015)

Following the initial export of a military platform (vehicle, aircraft, ship) or major equipment (such as a weapons system), this OIEL will authorise:

- the subsequent export of systems, sub-systems and components, for the platform or major system, including software and technology, following their repair or replacement, or in support of the through-life maintenance, operations and maintenance of the platform
- the export from the UK to a Government or other person outside the EU, and up to 15 years from the date of that the platform or major equipment was first exported from the UK to that Government or person

UK exporters applying for this OIEL need to show a clear business need supported by the evidence of an export licence(s) granted by the Secretary of State for Business, Innovation and Skills for a military platform or major equipment.

You can renew this OIEL at the end of its 15-year validity.

A copy of the Through Life Support contract, and amendments, supplied by the exporter at the time of application and subsequently on request, will replace the requirement for any annual consignee undertakings. You can apply for this OIEL using the standard Military/Dual-Use OIEL application form. The Through Life Support requirement should be made clear in the Application Justification section on the OIEL application form.

As with all licences, this OIEL can be amended, suspended or revoked at any time.

### Making your business justification for an OIEL – and renewing current OIELs

Applications now depend on the exporter being able to demonstrate a 'clear business need' that the OIEL is required for the intended export(s). The business justification has been moved to the first page of the OIEL application form, to emphasise its importance.

A new question has been added alongside the OIEL justification: 'Have you used the OGEL Checker to confirm that an OGEL cannot be used?'

OIEL applications require you to demonstrate a 'clear business need' why an OIEL is required for the intended export(s). This justification may take the form of a record of applications for SIELs (at least 5 relevant SIEL applications to each country in the previous year. (If less than this, you must justify why you wish to include such a country in your application.)

If you do not have a track record of SIEL applications, but can demonstrate a clear business need that an OIEL is the most appropriate licence; please provide full details. This might include a contract or tender in place which stipulates or demands delivery within less than twenty working days, or stipulates or demands unlimited shipments.

You should also provide any relevant supporting documentation. For example:

- copy of a contract
- purchase order
- award of tender

If you do not have any of the above but can otherwise show a clear business need why an OIEL is the most appropriate licence for you, please provide full details in the Application Justification section on the OIEL application form.

If you have a projection of the number of times you anticipate using the OIEL (should it be granted) in the next 12 months, please also include that information.

You will be asked to confirm that you have used the OGEL Checker to see if an OGEL can be used. Keep a printout of the results of the OGEL Checker to upload with the application.

If you are in doubt as to whether or not you may have a clear business need, contact our OIELs team via the new OIELs option on the ECO Helpline, or email [eco.help@bis.gsi.gov.uk](mailto:eco.help@bis.gsi.gov.uk) with 'OIELs' in the subject line.

## Renewal of existing OIELs

When applying to renew an existing OIEL your business justification need only state in the 'Application Justification' section that it is a renewal of an existing licence. But, if you have exported to a particular destination under the existing licence less than 5 times during the previous year, you must explain why. If you are unable to provide an explanation which falls within any of the criteria listed, then you should remove the said destination(s) and explain that you have done so in this section. The new OIELs process only aims to grant applications for regular or frequent destinations.

## Making successful OIEL applications

An OIEL is a flexible export licence, but it is not an authorisation to apply for a wide range of countries or goods. You should:

- avoid applying to export to a long list of possible future destinations – limit the application to known or likely business plans
- be careful and realistic in identifying which goods you plan to export
- be careful about applying for sensitive destinations – if a SIEL is denied to a specific destination, it is likely that this export destination will also be denied if requested on an OIEL

If you look at the list of prohibited destinations on an Open General Export Licence of broad scope, such as OGEL (Low Value Shipments), this will give you some idea of what is meant by 'sensitive'. But keep in mind that some prohibited destinations will be in the list to prevent dual coverage with the European Union General Export Authorisations (EU CGEAs), or will be EU destinations which do not normally require an export licence from the UK

As a further guide, look at the [Export Control: licensing performance dashboard](#) and use the 'Export licensing decisions' and 'numbers of licences that have been rejected or refused' for key destinations to help identify less-sensitive and more sensitive destinations

TIP: If your business model and IT systems allow, consider grouping less-sensitive countries together on an OIEL applications, with perhaps the more sensitive destinations on a second OIEL application. This may avoid processing delays for your less-sensitive destinations.

TIP: You could also avoid making one application for a wide range of goods to multiple destinations – think about making separate applications for fewer countries. For example, groups of countries in different regions using the 'Country Group' drop down menu on the SPIRE application form (see 'Goods Recipient' section below).

## Essentials

Your OIEL application must include detailed technical information about the goods being exported. You don't normally have to provide consignee or end-user details or undertakings at the time of application. But you do need to:

- obtain the undertaking before the goods are shipped
- ensure the undertaking is valid when the shipment is made
- retain the original versions of consignee undertakings for compliance audits

In a consignee undertaking, the consignee is asked to confirm:

- the nature of the goods ordered
- what they will be used for
- that they will not be re-exported or incorporated into goods which will subsequently be exported to a destination outside that permitted by the licence
- they are also asked to declare that the goods will not be used for activities associated with weapons of mass destruction (WMD)

For more information, see the guide on [End-user and stockist undertakings for SIELs and consignee undertakings for OIELs](#).

## Processing Times for OIELs

The ECO has a target of processing 60% of OIEL applications within 60 working days but complex cases may take up to 120 working days.

For more information see guidance on ECO's [annual report targets](#). ECO's monthly performance figures for Open Individual Export Licences (OIELs) against the target of 60% within 60 working days are given on the [Export control: licensing performance dashboard](#).

## Goods List

Goods must now be described or specified using a 'general goods description' that can replace multiple goods lines. Goods descriptions will be drafted in such a way as to give as much flexibility as possible for all future exports over the duration of the licence, but without seeking to cover goods that are not actually exported. In other words, we will discourage over-detailed descriptions that might change in future (part numbers or specific model numbers, for example).

However, goods descriptions will need to have sensible limits to prevent the OIEL covering too much; for example by making use of the control list classification entry to allow a wide range of products from a defined entry of the controls.

You may add more than one 'general description' to cover the full range of goods which you wish to export, but keep the total number of individual lines on any licence within a reasonable limit.

You will find that the SPIRE licence application screen has extensive guidance, including examples of goods descriptions.

There is a new dedicated 'OIEL Help' option on the ECO Helpline 020 7215 4594 (or email [eco.help@bis.gsi.gov.uk](mailto:eco.help@bis.gsi.gov.uk) with 'OIELs help' in the subject line) if you have any queries.

## Goods Recipients

Exporters may, where possible if their business model and IT systems allow it, create smaller, more manageable OIEL applications, that will allow faster processing and issuing of the licence.

OIEL licence applications can be split by recipient country into several Country Groups, using the 'Country Group' drop down menu on the SPIRE application form, with one OIEL per Country Group. Selecting recipient countries from a single Country Group may reduce delays in processing. The Country Groups are listed in the Exporter Guidance 'Adding Recipient Countries', which you can find in the left-hand menu in the SPIRE application form.

The general rule for the updated OIEL process will be that recipient countries will be specified on the OIEL application but named consignees and named ultimate end-users will not be specified, except for Nuclear Trigger List items so that the Department for Energy and Climate Change (DECC) can seek their Government to Government Assurances (GTGA), or for 'Maritime Anti-Piracy' applications; or if requested subsequently by advisors from Other Government Departments (OGDs). It will, however, be mandatory for the exporter to select which sector(s) the goods are destined for within each destination country and, if the government is chosen, specify whether it is for the Army, Navy, Police, etc.

However, for certain goods to certain destinations, our advisors from Other Government Departments (OGDs) may issue a Request for Further Information (RFI) for the names

and addresses of specific goods recipients and they could ask in their recommendation to ECO for these to be added as named consignees on the OIEL before it is issued.

Around 45% of OIEL applications are intended for a single destination; up to 70% of OIEL applications are to less than 10 destinations. So an OIEL application to a single destination may provide greater flexibility than a SIEL, and may be processed faster than a standard OIEL as it will be SIEL-like in processing terms.

If you can keep your destinations within just one of the seven country groups then, depending on the sensitivity of those destinations, this may reduce delays in processing. If your business model and IT system allow it, consider splitting your OIEL between sensitive and non-sensitive destinations as this may help you to get your OIEL faster.

If you can, consider applying for an EU Country-only OIEL.

We do not encourage extremely large OIELs, as they take a long time to process with many country and specialist desks in Other Government Departments involved in the assessment process. But if you genuinely need an extra-large OIEL, please contact us via the new OIEL option on our ECO Helpline 020 7215 4594 (or email [eco.help@bis.gsi.gov.uk](mailto:eco.help@bis.gsi.gov.uk) with 'OIELs help' in the subject line).

Please note that if you submit an extremely large OIEL without first discussing your needs with us, we will contact you to discuss the rejection of the OIEL.

## Ultimate End-Users

Exporters have previously been directed to add ultimate end-user destinations on OIELs as Third Parties. In order to be absolutely clear that these are ultimate end-users, and not just third parties involved in the export, there is now an 'Ultimate End-Users' application screen. The Ultimate End-User is defined as the final entity that the exported items will be sent to. This normally applies where the items are incorporated into another system.

Thus, if you know that the exported items will be incorporated into another system, the incorporating entity/Sector must be shown as the Goods Recipient, and the final entity receiving the system after incorporation of the items has taken place, must be shown as the Ultimate End-User.

While technology is not incorporated as such, we will wish to know who the Ultimate End-User of goods manufactured using technology originating in the UK is, as this is a relevant factor in deciding whether to grant an OIEL (or a SIEL) for technology.

This is not a change of policy as the Ultimate End-User countries, as previously with Third Parties which were Ultimate End-Users/Countries, will still be considered in the OIEL approval process and will appear on the licence.

The new 'Ultimate End-User' section will also enable other government departments to continue to consider the ultimate end-user in their assessments when goods are being incorporated by the end-user for onward shipment to the ultimate end-user.

## Provisos on OIELs



'Goods Recipient' destinations listed on the licence will have provisos stating which sectors the exports are restricted to ('Export under this licence is restricted to [sector] only'.) A separate proviso will show each sector selected for that destination.

Ultimate End-User destinations and sectors will be listed on the licence.

## Viewing the Final OIEL before Issue

Before issuing a more complicated/complex licence, the Export Control Organisation (ECO) might choose to send a draft version to the exporter for review and comment. This will allow exporters to advise the ECO of any issues with the document prior to it being finalised. The default time period for this review is ten working days, after which, if no response has been received, the licence will be issued.

## Improved help for exporters on OIELs

During the design of the new system, it was found that nearly 50% of current OIELs were stopped, withdrawn or refused during the OIEL application process. This obviously represents considerable wasted time, so the ECO and government advisors, have refined the Exporter Help system to ensure high-quality applications.

Help will be provided to craft an OIEL that can be processed more easily and faster.

The new 'OIELs Help' option on the ECO Helpline 020 7215 4594 (email: [eco.help@bis.gsi.gov.uk](mailto:eco.help@bis.gsi.gov.uk)) will assist with:

- the new business justification, which will be based on a clear business need or track record of using 5 SIELs per annum to each destination
- formatting and crafting a good quality OIEL
- the new 'goods description' by passing the details of any query to the Technical Assessment Unit (TAU) OIELs Technical Officer, who will contact the exporter

If the initial exporter query has not been satisfied, a system has been put in place that will offer the following:

- if the exporter emails a draft 'business justification' to the OIELs Helpline Officer, the Officer will assess this (seeking internal advice as required) and feedback to the exporter
- if the exporter emails a draft 'goods description' to the OIELs Helpline Officer, the Officer will pass the draft together with the exporter contact details to the Technical Assessment Unit (TAU) OIELs officer who will respond to the exporter
- if the exporter emails a draft OIEL application to the OIELs Helpline Officer, the Officer will assess this (seeking internal advice as required) and feedback to the exporter
- if more help is needed, the OIELs Helpline Officer will arrange a telephone conference with the exporter and other ECO colleague(s), as required
- if further help is still required, the OIELs Helpline Officer will arrange a short (maximum one-hour) meeting at ECO with the exporter and other ECO colleagues – the time limit

of one hour is to allow as many exporters as possible to benefit from this service, if needed

## OIEL Terms and Conditions

When you view your application, you will see the terms and conditions that were in force at the time you submitted the application.

Apart from standard conditions, each OIEL may have extra specific provisions. You should read and follow all the conditions carefully, or you might find yourself making unlicensed shipments and risk the licence being revoked – with the potential for seizures, fines, penalties by HMRC, or even imprisonment.

Exporters must confirm that they have understood the licence for which they have applied, and have read the terms and conditions of the specific OIEL for which they are applying (SPIRE will provide a link). They will also be advised that further conditions may be applied to specific destinations or goods.

### Standard provisions include:

#### **Retain consignee undertakings and keep accurate records**

If you hold an OIEL, you must obtain a written consignee undertaking that the goods are not intended for re-export to a destination not listed as permitted on the licence. The undertakings need to be received from each consignee before the first export. You should also remember to:

- retain the original undertaking (which must be signed and dated)
- obtain an undertaking (in advance) if the contract or project is ongoing

For transfers to governments, a Government Purchase Order (PO) or contract (or extract of) may be accepted in lieu of an undertaking.

You must also keep records of all shipments of goods for the period of the licence. These records must be made available for inspection by Department for Business, Innovation & Skills (BIS) officials at an ECO compliance audit.

For more information, see the guide on [End-User and stockist undertakings for SIELs and consignee undertakings for OIELs](#).

#### **Specific use of goods**

You cannot export controlled goods under an OIEL if you are aware, or have been informed by the authorities, that the goods will be used in connection with:

- chemical, biological or nuclear weapons
- other nuclear explosive devices
- missiles capable of delivering such weapons

Under EU regulations, dual-use items may not be exported using an OIEL if intended for [military end-use](#).

### Other standard conditions

- no items may be exported to a destination within a Customs Free Zone.
- In the meantime if you need an Economic Free Zone (EFZ) destination because of your specific company requirements, please contact the OIELs team on the ECO Helpline 020 7215 4594 or email [eco.help@bis.gsi.gov.uk](mailto:eco.help@bis.gsi.gov.uk) with 'OIELs' in the subject line.
- for intra-EU transfers a copy of the licence must accompany the items to their destination
- Ministry of Defence approval is required for exhibition of UK Military List items

### Temporary-OIEL conditions

If you require an OIEL to make temporary exports, you need to return any goods to the UK within 12 months of export. OIELs issued for temporary shipments might be granted for demonstration or exhibition purposes. Goods exported under these conditions must not be disposed of while abroad.

If the goods are part of a permanent exhibition, and the terms of the OIEL do not provide for this, you will need to apply for a SIEL. For more information, see the guide on [Standard Individual Export Licences](#).

## Rejection of OIEL applications at the application stage

ECO will work closely with exporters at the pre-application stage to minimise the number of OIEL applications that are rejected at the application stage, or that are withdrawn or stopped during subsequent processing. Currently, around 50% of OIEL applications are either stopped, withdrawn, or refused during the process. This wastes your time and ours. So, if in doubt, please contact us before you submit your application.

The main reasons for rejecting an OIEL application at the front end of the application process are:

- failure to provide a clear business-need justification
- failure to follow the new guidance on goods descriptions
- inclusion of unrealistic country lists, for example a 'shopping list' to cover possible future needs
- inclusion of too many countries on an OIEL (if, for business reasons, you need a single, very large OIEL that will take a long time to process through the various departments, please contact our new OIELs option on the ECO Helpline)

See also the guide on [submitting export licence applications correctly](#)

There is no formal appeal procedure if your OIEL application is rejected. If this happens, please work with us to resolve your licensing needs. You may well need to apply for a Standard Individual Export Licence (SIEL).

See the guide on [Standard Individual Export Licences \(SIELs\)](#).

## Making changes to OIELs

OIELs are not transferable and cannot be altered, except with the permission of the ECO.

The main permitted changes are:

- the exporter's change of address
- the consignee's (if required on the OIEL) change of name or address

### Minor changes to OIELs

During your licence period, you may request small changes to your OIEL without having to submit a new application. These include the name or address of an existing consignee (if included) already on the licence (documentary evidence is required).

The ECO will not normally amend a licence if:

- there is a new destination (unless you can demonstrate a clear business need)
- there is a new consignee (but bear in mind that their details are not normally required except in some cases (NSG goods, for example) or if requested by our advisors)
- there is a new Ultimate End-User (but see below)
- the goods description has changed

Please work with our new OIELs expert on the ECO Helpline 020 7215 4594 (email: [eco.help@bis.gsi.gov.uk](mailto:eco.help@bis.gsi.gov.uk)) at the start of the application process to craft a goods description that adequately meets your needs and is as future-proof as possible.

However, if you require a major amendment and you can:

- demonstrate a clear business need
- wait up to 60 days (other government departments may require full circulation of the revised OIEL to re-check existing destinations)

We may be able to help, so please contact the OIELs team on the ECO Helpline 020 7215 4594 to see if anything can be done.

For example: an aerospace company with an existing OIEL with a prime contractor in Switzerland who is generating sales to new customers. You wish to add a new Ultimate End-User in a new destination and the goods are covered by the 'Goods Description'.

### Changes to OIEL holder's name or address

If your business changes its name, you should write to your Licensing Case Officer at the ECO, including:

- the OIEL licence number(s) affected

- your new company name/address
- the name and address of new owner, if applicable
- the new Companies House registration number, if applicable

Please note that a Limited Company can officially change its name and register that change with Companies House. In this case the company is issued with a new certificate of incorporation and retains the same Companies House company number. In such cases, the ECO can amend the company name on any extant licences.

However, where a Limited Company becomes a brand new company with a new Companies House company number, that company is considered to be a new legal entity and the company will need to re-apply for export licences in its new company name.

### **Adding additional sites to a Company's OIEL**

If you need to add another site to your OIEL, you should write to your Licensing Case Officer at the ECO, including the following details:

- the OIEL licence number(s) affected
- your company name/address
- the new site details.

We can add single or multiple sites to an OIEL by writing this into the OIEL as an extra condition

### **Extending OIEL validity periods**

If your current OIEL validity is coming to an end and you have applied for a new OIEL, but it has been delayed, you can ask the ECO to extend the period of the current OIEL. Please email your Licensing Officer setting out your business reasons.

## **Compliance**

If you hold an OIEL, you must satisfy the ECO that you are complying with all the procedures needed for using the licence, including familiarity with current export legislation.

To check this, the ECO will undertake a compliance audit of your business. The ECO also uses audits to check whether businesses are exporting goods or technology with an appropriate licence.

For more information, see the guide on [compliance and enforcement of export controls](#).

### **Timing of compliance audits**

When an OIEL is first granted to a business, you will be contacted by your ECO Compliance Inspector by email or telephone, to (a) ensure that you are aware of the licensing requirements and conditions and (b) to set up an audit. This will occur within the first month of your Inspector being allocated to your company. Thereafter, audits are

undertaken on a risk-based schedule that varies from between 6 and 36 months. Your Inspector will advise you in advance as to when an audit has been scheduled. Our assessment of risk takes into account factors such as:

- exporters' understanding of export controls
- exporters' knowledge of the control list classification(s) of the goods
- volume of exports
- variety of licences used
- compliance record
- procedures in place
- goods exported and destinations on the licences
- any special conditions

## Reasons for revoking an OIEL

ECO compliance audits aim to help businesses comply with licence requirements.

Remedial measures, if required, are usually set out in a warning letter, with a timescale for implementation. If you have failed to demonstrate a sufficient level of compliance, the warning letter will then be followed by a revisit to check whether you have taken the necessary action to ensure compliance. If the same non-compliance issues are identified at a re-visit, ECO will suspend the relevant licence. If further instances of non-compliance arise at the third audit, the ECO will revoke your ability to use that licence. HMRC are informed of all instances where either a warning, suspension or revocation letter has been issued by the ECO. In serious cases, HM Revenue & Customs officials may decide to prosecute.

Most non-compliance issues found by the ECO relate to documentation errors. Typical issues found on compliance audits, which might lead to a licence being revoked, include:

- failure to keep adequate records as specified by the licence terms and conditions (and, as a result, not being able to confirm that the licence has been used correctly)
- records not being available
- failure to fully read all details of the licence
- failing to permit and audit to take place

You cannot appeal against an OIEL revocation decision by the ECO because you still have the option to apply for a SIEL.

## Penalties for non-compliance

Exporters should be aware that there are legal penalties for exporting controlled goods without a licence. This includes potential seizure of goods by customs, financial penalties or even a prison term.

## Legislation

The export control licensing regime in the UK is based on both UK national and EU laws (applicable across all EU member countries).

## Export Control Order 2008

Export regulations in the UK are implemented under Export Control Order 2008. This secondary legislation is based on the Export Control Act 2002 – the UK's main legislation on export controls.

Areas covered by the order include:

- strategic goods export controls
- transfer of technology and technical assistance provision
- controls on trade in military equipment between overseas countries where part of the process takes place in the UK
- controls on trade with embargoed destinations, such as embargoes imposed by the UK following EU or Organisation for Security and Co-operation in Europe (OSCE) embargoes

For more information, see [Export Control Order 2008](#).

## Dual-Use Regulation

The main European legislation is Council Regulation (EC) No.428/2009 (the re-cast dual-use regulation), which provided the framework for an EU system to control exports of dual-use items and technology.

For more information, see the guide on [controls on dual-use goods \(EU Dual-Use Regulation\)](#).

Under the regulations, OIELs and similar permits issued in one member state can normally be used to export from other member states.

You do not need a licence to export most dual-use items, to other member states, unless the goods are intended to be forwarded to a third country (but check the Regulation Annex IV for the exceptions).

Dual-use items include:

- software and technology with civil and military applications
- goods that can be used for non-explosive uses or in the manufacture of nuclear explosive devices

To determine which military and dual-use items are subject to export control legislation, you need to check the [UK Strategic Export Control Lists](#).

If your goods are listed on the control lists then you will need to apply for an appropriate licence. If you are unsure if your items are listed, then you can download the guidance, [Strategic exports: when to request an export licence](#). This guide includes information on

database tools and advice to help you self-rate your goods as well information on training courses provided by the ECO.

## **OIELs: frequently asked questions**

### **Under what circumstances will an OIEL be issued?**

An OIEL allows exporters to export multiple shipments of specific goods to specific destinations, subject to terms and conditions, and an application will be accepted if there is a clear business need (see relevant section above).

### **How long does it take to get an OIEL?**

The ECO currently aims to process 60 per cent of OIEL applications within 60 working days.

Where there is just a single destination, or a couple of destinations within the same Country Group, and the goods description is clear and unambiguous and limited to less sensitive goods, the processing complexity will be reduced which may mean a faster turnaround.

We advise against submitting extremely large OIEL applications unless you have a clear business justification. It could take 6 months or more for a complex OIEL (countries contained within several Country Groups, and many countries in total) to be issued.

### **Can I add extra goods or destinations to an OIEL?**

Not if you want to amend 'Goods Descriptions'. You would need to apply for a new OIEL to add new goods.

If you want to add a new goods recipient or ultimate end-user, you will need to:

- demonstrate a clear business need
- be prepared to wait up to 60 days (other government departments may require full circulation of the revised OIEL to re-check existing destinations, and goods )

We may be able, on a case by case basis, to help so please contact the OIELs team on the ECO Helpline 020 7215 4594 or email [eco.help@bis.gsi.gov.uk](mailto:eco.help@bis.gsi.gov.uk) with 'OIELs' in the subject line.

For example: You are an aerospace company and have an existing OIEL with a Prime contractor in Switzerland who is generating sales to new customers. You wish to add a new Goods Recipient or Ultimate End-User in a new destination and the goods are covered by the "Goods Description".

When the new amended OIEL is re-issued, it supersedes the old one on SPIRE.

### **Do we still need consignee undertakings?**



In general, consignees and ultimate end-users will not be specified on an OIEL application, except for Nuclear-related Trigger List items so that the Department of Energy and Climate Change (DECC) can seek the Government to Government Assurances (GTGA) for 'Maritime Anti-Piracy' applications, or subsequently by advisers from Other Government Departments (OGDs). However, the exporter will need to declare which sector(s) the goods are destined for within each destination country and, if the government is chosen, whether it is for the Army, Navy, Police, etc. The consignee undertaking will have to match the sectors included in the licence.

You will, however, need to obtain a written consignee undertaking (see Terms and conditions) from each consignee before the first export to that consignee; and keep and produce originals (not copies) of the required documentation for Compliance Audits. You will also need to ensure that the undertaking is not out of date when the shipment is made.

A new OIELs Consignee Undertaking template has been issued for the updated OIEL process. The changes are minimal and include a requirement for the relevant sectors to be added.

For existing extant OIELs, the new OIELs Consignee Undertaking should be used when a new annual undertaking is required. Adding sectors will, however, be voluntary and not mandatory.

### **Why have Ultimate End-Users been added to the OIEL application and the licence?**

Exporters have previously been directed to add ultimate end-user destinations on OIELs as Third Parties. To be absolutely clear that these are ultimate end-users, and not just third parties involved in the export, exporters will now be directed to add ultimate end-user destinations separately from third parties using the new 'Ultimate End-Users' application screen.

The Ultimate End-User countries, as previously with Third Parties which were Ultimate End-Users/Countries, will be still considered in the OIEL approval process and will appear on the licence.

The addition of the new 'Ultimate End-User' section described above will also allow other government departments to continue to consider the ultimate end-user in their assessments when goods are being incorporated by the goods recipient for onward shipment to the ultimate end-user.

## **Further information**

### **BIS ECO Helpline**

020 7215 4594 and choose the new 'OIEL Help' option or email [eco.help@bis.gsi.gov.uk](mailto:eco.help@bis.gsi.gov.uk) with 'OIELs' in the subject line.



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