



Department for  
International Trade

# Open General Export Licence

PCBs and components for dual-use items – from June  
2019

December 2019

Revoked from 31/12/2020

## **Open General Export Licence (PCBs and components for dual-use items– from June 2019)**

Dated 05 December 2019, 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>1</sup> and Article 26 of the Export Control Order 2008 ("the Order")<sup>2</sup>, hereby grants the following Open General Export Licence:

### *Union Licence*

1. This is a 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 Union and is a Union Licence for the purposes of the Order.
2. Subject to the following provisions of this licence, any items specified in 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 except a destination in a country specified in Schedule 2.

### *Exclusions*

3. This licence does not authorise the export of items:
  - (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 imposed by a Decision or a 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

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<sup>1</sup> O.J. No. L134 29.5.09. p.1

<sup>2</sup> S.I. 2008/3231

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) to a destination within a Customs Free Zone; or
- (5) if their export is controlled by virtue of any entry in Annex I to the Regulation not specified in Schedule 1; or
- (6) 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 OGEL (PCBs and components for dual-use items– from June 2019)"; 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 Border Force if so requested;
  - (2) 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 below may be inspected.
  - (3) You must keep records of each export or transfer made under this licence as set out in article 29 of the Order.

- (4) You must complete, in full, the pre-visit questionnaire (PVQ) which you receive before an audit visit by the Department for International Trade (DIT) and return it by the date given in the letter that came with it.
- (5) 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 DIT's satisfaction. 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 DIT's satisfaction, the period of suspension or revocation may be extended. The exporter will be notified of such an extension in writing.
- (6) The Secretary of State has the power to vary or withdraw export licences at any time. If you do not use this licence within any 24- month period for an export allowed by this licence, your entitlement to use it will automatically run out at the end of that 24-month period and your registration details will be removed from SPIRE. However, you can register for this licence again if you want to use it after your registration has ended.
- (7) You must update the 'Open licensing returns' within SPIRE, for all exports or trade carried out within each calendar year. You must update the returns by the last day of the following January at the latest (for example, you would need to update the January to December returns by the end of the following January) and include all the information required. You do not have to report on technology transfers

*Prohibitions not affected by this licence*

5. Nothing in this licence affects any prohibition or restriction on the export of any items other than under the Regulation or 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*

6. For the purpose of this licence:
  - (1) "Customs Free Zone" means a part of the territory of a country where any goods introduced are generally regarded, insofar as import duties and taxes are concerned, as being outside the customs territory of that country, and are not subject to the customs controls that would otherwise apply;

- (2) "entry" includes part of an entry; and
- (3) unless the context otherwise requires, any other expression used in this licence has the same meaning as in the Regulation or the Order as appropriate.

*Entry into Force*

- 7. This licence comes into force 05 December 2019.

**An Official of the Department for International Trade, authorised to act on behalf of the Secretary of State**

Revoked from 31/12/2020

## **SCHEDULE 1**

### **ITEMS CONCERNED**

Unpopulated (i.e. bare) printed circuit boards, connectors, wiring looms and harnesses, fasteners (e.g. screws, bolts, nuts, nut plates, studs, inserts, clips, rivets, pins), washers, spacers, insulators, grommets, bushing, springs, cable, and wire, specified by the following entries in Annex I to Council Regulation (EC) No. 428/2009

1A004.a  
1A004.c  
1A005.a  
1A006

2B003  
2B004

3A001.c  
3A003  
3B001  
3B002

4A001  
4A003

5A001.b  
5A001.e  
5A001.f  
5A001.j  
5B001.a  
5B001.b

6A001.a except 6A001.a.1.b; 6A001.a.2  
6A003.a  
6A006  
6A008  
6A203.c

7A008

9A350  
9B003

## **SCHEDULE 2 DESTINATIONS CONCERNED**

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

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

Afghanistan, Argentina, Armenia, Australia, Azerbaijan, Bahrain, Belarus, Burma (Myanmar), Canada, Central African Republic, Democratic Republic of Congo, Egypt, Eritrea, Iran, Iraq, Japan, Jordan, Kuwait, Lebanon, Libya, Myanmar (Burma), New Zealand, North Korea, Norway, Pakistan, Russian Federation, Saudi Arabia, Somalia, South Sudan, Sudan, Switzerland (including Liechtenstein), Syria, Turkey, United Arab Emirates, USA, Venezuela, Yemen and Zimbabwe

- European Union Member States as follows: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden

**NOTE 1:**

An export licence is NOT required for dual-use goods being exported to EU destinations BUT you must state on export documents that your items require a licence if exported outside the EU and you must keep records (as specified in Articles 22(8) and 22 (10) of the EU Dual Use Regulation).

**NOTE 2:**

Exports of items covered by this licence may be made under the authority of the European Union General Export Authorisation (EU GEA 001), subject to certain conditions and restrictions, to the following destinations:

Australia, Canada, Japan, New Zealand, Norway, Switzerland (including Liechtenstein), USA

## EXPLANATORY NOTE

(This note is not part of the licence)

1. This Open General Export Licence has been introduced following a review of destinations on open general licences.
2. This Open General Export Licence permits, without further authority but subject to certain conditions, the export from the United Kingdom, or from any other Member State of the European Union (EU) where the exporter is established in the United Kingdom, to any destination other than one listed in Schedule 2 to the licence of items specified in Schedule 1 to the licence.
3. The Export Control Order 2008 (“the Order”) contains certain registration and record keeping requirements which apply to persons using this licence.
  - (a) Under Article 28 of the Order, an exporter who exports items under the authority of this licence must, before or within 30 days after the first occasion he makes use of the licence, provide details to the Secretary of State of his name and the address where copies of the records referred to above may be inspected. This notification must be made via DIT’s digital licensing system, SPIRE, at [www.spire.trade.gov.uk](http://www.spire.trade.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.
4. 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/she 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(5)).



5. Where DIT identifies failures in compliance with licence conditions or the legislation during a compliance visit DIT 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.
6. 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.

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Department for International Trade  
Export Control Joint Unit  
2nd floor  
3 Whitehall Place  
London  
SW1A 2AW  
United Kingdom

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