



UK Government

Chemical Weapons Convention guidance notes

Aggregate national data electronic
declarations for Schedule 2 and 3 chemicals

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Contents

Aggregate National Data Electronic Declarations for Schedule 2 and 3 chemicals	4
1. Background to Aggregate National Data Electronic Declarations	5
2. Detailed Guidance for Part A: Organisation details	6
3. AND Flow Chart	6
4. Detailed Guidance for Part B: Schedule 2 Chemical details	6
5. Detailed Guidance for Part C: Schedule 3 Chemicals details	8
6. Detailed Guidance for Part D: Chemical sources	9
7. Detailed Guidance for Part E: Customer details	10
8. PART F: Declaration	10
9. Viewing Previous Years Declarations	11
Annexes to the Aggregate National Data Declaration guidance notes for Schedule 2 and Schedule 3 Chemicals	12
Annex A: Examples of CWC Schedule 2 Chemicals	12
CWC Schedule 3 Chemicals	12
Annex B: Definitions	15
Annex C: Declaration Flow Chart	17
Annex D: Crown Dependencies and British Overseas Territories	18

Aggregate National Data Electronic Declarations for Schedule 2 and 3 chemicals

These Guidance Notes accompany a notice served under section 22(1) of the Chemical Weapons Act 1996 (“the 1996 Act”). The statutory notice requires the full and accurate completion of an electronic declaration form(s). The electronic declaration form(s) must be completed in accordance with these Guidance Notes. The duly completed form(s) must then be electronically submitted via the Chemical Weapons Convention Declaration Database to the UK Chemical Weapons Convention National Authority (UKNA). The notice specifies a date by which you must ensure that the National Authority receives the completed electronic form(s).

The notice under section 22(1) creates a legal obligation which must be complied with. Failure to return the completed electronic declaration form(s) by the due date without reasonable excuse is an offence contrary to section 22(3) of the 1996 Act. It is also an offence, contrary to section 22(4) of the 1996 Act, knowingly to provide false or misleading information in completing the electronic declaration form(s).

These guidance notes explain how to complete an Aggregate National Data Electronic Declaration covering declarable activities in the past calendar year for Schedule 2 and Schedule 3 chemicals. You must read them carefully before completing the electronic declaration forms.

Completed electronic declaration forms should be submitted via the Chemical Weapons Convention Declaration Database no later than **the deadline date as specified on the Legal Notice for this declaration**.

If you have any queries on how to accurately complete the declaration form(s) please contact the UKNA for further guidance and advice.

1. Background to Aggregate National Data Electronic Declarations

As a result of a decision by the Organisation for the Prohibition of Chemical Weapons (OPCW) Conference of States Parties, in October 2002, to bring about greater consistency between the information submitted by different Chemical Weapons Convention (CWC) State Parties, all producers, processors, consumers, importers and exporters of Schedule 2 chemicals and all producers, importers and exporters of Schedule 3 chemicals, regardless of the volumes involved, need to provide the UKNA with certain basic quantitative data for inclusion in the UK's Aggregate National Data (AND) Declaration. The National Authority has a legal obligation to submit the information to the OPCW by the end of March each year, covering activities in the previous calendar year. It is important to note, however, that provision of this information does not automatically make any AND declarer subject to the OPCW's inspection regime.

To clarify, declarable activities for inclusion in an Aggregate National Data Electronic Declaration are those where an organisation, in the past calendar year:

a) produced, processed, consumed, imported or exported one or more of the chemicals listed in Schedule 2 to the Chemical Weapons Convention;

and/or

b) produced, imported or exported one or more of the chemicals listed in Schedule 3 to the Chemical Weapons Convention.

Examples of chemicals covered under Schedule 2 of the CWC is at Annex A to these guidance notes. In addition, the OPCW's Handbook on Chemicals is located on the UKNA's website at "Making a Declaration" along with guidance on how to complete each specific declaration. This shows the Schedule 2 and Schedule 3 chemicals that have been declared to the OPCW above the relevant declaration thresholds.

The production, processing, consumption, import or export of chemical mixtures that contain a Schedule 2 chemical may also need to be declared, as may the production, import or export of chemical mixtures that contain a Schedule 3 chemical. Guidance on how to deal with chemical mixtures is contained in the definitions section at Annex B to these guidance notes.

The flow chart at Annex C is for use in clarifying whether an organisation needs to make an electronic declaration, particularly in relation to mixtures, which contain Schedule 2 or Schedule 3 chemicals. The chart must be followed from Start 1 and then Start 2 in turn to ensure both Schedule 2 and Schedule 3 chemical scenarios have been addressed.

Imports from and exports to Crown Dependencies and British Overseas Territories do not need to be declared. Annex D lists these countries.

- Annex A contains examples of CWC Schedule 2 chemicals and Schedule 3 chemicals.
- Annex B contains definitions of terms used in the declaration form.
- Annex C contains a flow chart on whether, or not a declaration is required.
- Annex D contains a list of Crown and Dependent Territories.

2. Detailed Guidance for Part A: Organisation details

Part A of the form asks for information about the organisation where the declarable Schedule 2 and/or Schedule 3 activities have occurred.

The declaration should only contain information relating to a single organisational site i.e. not multiple sites across the country.

Section A1 and A2 – Organisation Name and Address (Already pre-filled)

This contains the common name and address of the organisation where the Schedule 2 and/or Schedule 3 declarable activities have occurred i.e. name and address of the company; university; or Government laboratory.

Section A3 – Schedule 2 and Schedule 3 Declarable Activities

Tick whether the organisation has carried out declarable Schedule 2 and/or Schedule 3 chemical activities. If you indicate that no activities have taken place, you need proceed no further other than to complete Part F and submit the electronic form.

If you have indicated that no activities have taken place but would like to complete Part D and Part E prior to submitting the electronic form, please do so.

NB: Please refer to the definitions, including those on chemical mixtures, at Annex C to these guidance notes.

Section A4 and A5 – Number of Declarable Schedule 2 and Schedule 3 Chemicals

The number of declarable Schedule 2 and Schedule 3 chemicals in the given year needs to be identified in order to ascertain whether the correct numbers of Part B and Part C of the form have been completed.

A copy of the chemicals covered under Schedule 2 and Schedule 3 of the CWC is at Annex A. The OPCW's Handbook on Chemicals includes the Schedule 2 and Schedule 3 chemicals that have been declared to the OPCW above the relevant declaration thresholds.

3. AND Flow Chart

AND Flow Chart (Already pre-filled but can be amended)

Please answer the questions to determine whether it is necessary to submit an electronic AND declaration for the site. These questions are an electronic implementation of the flow chart in Annex C.

4. Detailed Guidance for Part B: Schedule 2 Chemical details

Part B of the electronic declaration form asks for information on the production, processing, consumption, import or export of Schedule 2 chemicals. At Part B separate records must be

completed covering the activity totals for each different Schedule 2 chemical. Any import and/or export quantities declared in section B4 must be broken down by country and quantity in B5 and/or B6. An example may be helpful.

1. Three separate areas produce 50, 30 and 45 units respectively of a particular Schedule 2 chemical. This example requires the three separate production quantities to be added together and declared as 125 units.
2. Three separate areas imported 20, 25 and 15 units respectively of a Schedule 2 chemical from three separate countries. This example requires the three separate import quantities to be added together and declared as 60 units in B4, and then broken down by country of origin and relevant quantities in B5.

This section relates to the whole of the organisation's site. If the same Schedule 2 chemical is produced, processed, consumed, imported or exported in/from more than one place (or at more than one concentration) on the organisation's site the amounts should be combined into a single Part B for that chemical.

At Part B you should complete a separate record for each Schedule 2 chemical produced, processed, consumed, imported or exported.

Section B1, B2 and B3 – Full Description of the Schedule 2 Chemical (Already pre-filled but can be amended)

The chemical name, common or trade name and the Chemical Abstracts Service registry number (if assigned) should be provided.

Section B4 – Amounts of the Schedule 2 Chemical at the Organisation in the given year

Record here the total amounts of the Schedule 2 chemical produced, processed, consumed, imported or exported in the given year. If the Schedule 2 chemical was contained in a mixture the total quantity of the mixture and the percentage concentration should also be provided. The unit of measure must also be provided in each case and it would help, but is not essential, if these were consistent. Where available, please give quantities provided in tonnes, kilogrammes or grammes to two significant figures, and quantities provided in lower units of measure to the nearest whole unit.

Section B5 - Direct Imports of the Schedule 2 Chemical from Countries outside the UK in the given year

Record here by country the total quantities of each Schedule 2 chemical imported directly by the organisation from outside the UK in the given year. **Direct imports do not include chemicals bought from a trader in the UK who imports them. Traders must, however, provide this import information in their declarations.** If the Schedule 2 chemical was present as a mixture the total quantity of the mixture and the percentage of the concentration should also be provided. The unit of measure must also be provided in each case and it would be helpful, but is not essential, if these were consistent. Where available, please give quantities provided in tonnes, kilogrammes or grammes to two significant figures, and quantities provided in lower units of measure to the nearest whole unit.

Please see Annex D for countries that are Crown Dependencies and British Overseas Territories. Imports from these countries do not need to be declared.

Section B6 – Direct Exports of the Schedule 2 Chemical to Countries outside the UK in the given year

Record here by country the total quantities of each Schedule 2 chemical directly exported by the organisation outside the UK in the given year. **Direct exports do not include chemicals sold to a trader in the UK who exports them. Traders must, however, provide this export information in their declarations.** If the Schedule 2 chemical was present as a mixture the total quantity of the mixture and the percentage of the concentration should also be provided. The unit of measure must also be provided in each case, and it would be helpful, but is not essential, if these were consistent. Where available, please give quantities provided in tonnes, kilogrammes or grammes to two significant figures, and quantities provided in lower units of measure to the nearest whole unit.

Please see Annex D for countries that are Crown Dependencies and British Overseas Territories. Exports to these countries do not need to be declared

5. Detailed Guidance for Part C: Schedule 3 Chemicals details

Part C of the electronic declaration form asks for information on the production, import or export of Schedule 3 chemicals. As for Schedule 2, at Part C a separate record must be completed covering the activity totals for each different Schedule 3 chemical. Any import and/or export quantities declared in section C4 must be broken down by country and quantity in C5 and/or C6.

This section relates to the whole of the organisation's site. If the same Schedule 3 chemical is produced, imported or exported in/from more than one place (or at more than one concentration) on the organisation's site the amounts should be combined into a single Part C for that chemical.

A separate record at Part C should be completed for each Schedule 3 chemical produced, imported or exported.

Section C1, C2 and C3 – Full Description of the Schedule 3 Chemical (Already pre-filled but can be amended)

The chemical name, common or trade name and the Chemical Abstracts Service registry number (if assigned) should be provided.

Section C4 – Amounts of the Schedule 3 Chemical at the Organisation in the given year

Record here the total amounts of the Schedule 3 chemical produced, imported or exported in the given year. If the Schedule 3 chemical was contained in a mixture the total quantity of the mixture and the percentage concentration should also be provided. The unit of measure must also be provided in each case and it would help, but is not essential, if these were consistent. Where available, please give quantities provided in tonnes, kilogrammes or grammes to two significant figures, and quantities provided in lower units of measure to the nearest whole unit.

Section C5 - Direct Imports of the Schedule 3 Chemical from Countries outside the UK in the given year

Record here by country the total quantities of each Schedule 3 chemical imported directly by the organisation from outside the UK in the given year. **Direct imports do not include chemicals bought from a trader in the UK who imports them. Traders must, however, provide this import information in their declarations.** If the Schedule 3 chemical was present as a mixture the total quantity of the mixture and the percentage concentration should also be provided. The unit of measure must also be provided in each case and it would help, but is not essential, if these were consistent. Where available, please give quantities provided in tonnes, kilogrammes or grammes to two significant figures, and quantities provided in lower units of measure to the nearest whole unit.

Please see Annex D for countries that are Crown Dependencies and British Overseas Territories. Imports from these countries do not need to be declared.

Section C6 – Direct Exports of the Schedule 3 Chemical to Countries outside the UK in the given year

Record here by country the total quantities of each Schedule 3 chemical directly exported by the organisation outside the UK in the given year. **Direct exports do not include chemicals sold to a trader in the UK who exports them. Traders must, however, provide this export information in their declarations.** If the Schedule 3 chemical was present as a mixture the total quantity of the mixture and the percentage concentration should also be provided. The unit of measure must also be provided in each case and it would help, but is not essential, if these were consistent. Where available, please give quantities provided in tonnes, kilograms or grams to two significant figures, and quantities provided in lower units of measure to the nearest whole unit.

Please see Annex D for countries that are Crown Dependencies and British Overseas Territories. Exports to these countries do not need to be declared.

6. Detailed Guidance for Part D: Chemical sources

Part D of the form asks for the details of all the UK companies from whom you obtained the Schedule 2 and/or Schedule 3 chemicals in your possession in given year.

In order to ensure that the UK National Authority is aware of all relevant companies/entities involved in declarable CWC Schedule 2 and/or Schedule 3 chemical activities, the details of all the UK companies from whom you obtained the Schedule 2 and/or Schedule 3 chemicals in your possession in given year is required. If you do not source Schedule 2 and/or Schedule 3 chemicals from the UK (i.e. you import or you produce your own) Part D is not applicable.

At Part D a separate record must be completed for any additional sources as necessary

Section D1 and D2 – Company Name and Address (Already pre-filled but can be amended)

Insert the name and address of the company(ies) from which you have sourced the Schedule 2 and/or Schedule 3 chemicals in your possession in the given year.

Section D3 – Scheduled Chemicals Provided by the Company (Already pre-filled but can be amended)

Insert the chemical name, common or trade name and the Chemical Abstracts Service registry number (if assigned) of each Schedule 2 and/or Schedule 3 chemical supplied by the company detailed in Sections D1 and D2.

7. Detailed Guidance for Part E: Customer details

Part E of the form asks for the details of all the UK companies to whom you sent the Schedule 2 and/or Schedule 3 chemicals in your possession in the given year.

In order to ensure that the UKNA is aware of all the relevant companies/entities involved in declarable CWC Schedule 2 and/or Schedule 3 chemical activities, the details of all the UK companies you sent the Schedule 2 and/or Schedule 3 chemicals to in the given year is required. If you do not sell Schedule 2 and/or Schedule 3 chemicals to other UK organisations (i.e. you export or you only consume and/or process without selling the mixture on (if the mixture is sold to a UK company/entity then the relevant concentration level needs applying to determine whether the customer details need to be provided)) then Part E is not applicable.

At Part E a separate record must be completed for any additional customers as necessary

Section E1 and E2 – Company Name and Address (Already pre-filled but can be amended)

Insert the name and address of the UK company(ies) to whom you sent the Schedule 2 and/or Schedule 3 chemicals in your possession in the given year.

Section E3 – Schedule 2 Chemicals Supplied to the Company (Already pre-filled but can be amended)

Insert the chemical name, common or trade name and the Chemical Abstracts Service registry number (if assigned) of each Schedule 2 and/or Schedule 3 chemical supplied to the company detailed in Sections E1 and E2.

8. Part F: Declaration

Part F The form must be electronically signed/authorised by a person of the appropriate level of responsibility who is in a position to verify the accuracy of the information and who has legal authority to sign/authorise on behalf of the company/other organisation.

Contact details can be updated using the 'Update My Details' link from the workbasket menu.

Position (Already pre-filled but can be amended)

Please choose the description which most closely matches your position within the organisation on whose behalf you are submitting the declaration.

9. Viewing Previous Years Declarations

To view your sites previous years electronic declarations, you should access the "CWC Declarations" option on the left-hand menu which goes to a search screen. You can then access and view all past declarations.

Annexes to the Aggregate National Data Declaration guidance notes for Schedule 2 and Schedule 3 Chemicals

Annex A: Examples of CWC Schedule 2 Chemicals

	Chemical	Chemical Abstract Service Registry Number (CAS)	Annual production, processing, or consumption quantity above which declarations are required
	The OPCW Handbook on Chemicals provides examples of CWC Schedule 1, 2 and 3 chemicals.		
	A. Toxic Chemicals:		
1.	Amiton: O,O-Diethyl S-[2-(diethylamino)ethyl] phosphorothiolate and corresponding alkylated or protonated salts	(78-53-5)	100 kg
2.	PFIB: 1,1,3,3,3-Pentafluoro-2-(trifluoromethyl)-1-propene	(382-21-8)	100 kg
3.	BZ: 3-Quinuclidinyl benzilate (*)	(6581-06-2)	1 kg
	B. Precursors:		
4.	Chemicals, except for those listed in Schedule 1, containing a phosphorus atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms, e.g. Methylphosphonyl dichloride Dimethyl methylphosphonate <i>Exemption:</i> Fonofos: O-Ethyl S-phenyl ethylphosphonothiolothionate	(676-97-1) (756-79-6) (944-22-9)	1 tonne
5.	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidic dihalides		1 tonne
6.	Dialkyl (Me, Et, n-Pr or i-Pr) N,N-dialkyl (Me, Et, n-Pr or i-Pr)-phosphoramidates		1 tonne
7.	Arsenic trichloride	(7784-34-1)	1 tonne
8.	2,2-Diphenyl-2-hydroxyacetic acid	(76-93-7)	1 tonne
9.	Quinuclidin-3-ol	(1691-34-7)	1 tonne
10.	N,N-Dialkyl (Me, Et, n-Pr or i-Pr)aminoethyl-2-chlorides and corresponding protonated salts		1 tonne

	Chemical The OPCW Handbook on Chemicals provides examples of CWC Schedule 1, 2 and 3 chemicals.	Chemical Abstract Service Registry Number (CAS)	Annual production, processing, or consumption quantity above which declarations are required
11.	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-ols and corresponding protonated salts <i>Exemptions:</i> N,N-Dimethylaminoethanol and corresponding protonated salts N,N-Diethylaminoethanol and corresponding protonated salts	(108-01-0) (100-37-8)	1 tonne
12.	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-thiols and corresponding protonated salts		1 tonne
13.	Thiodiglycol: Bis(2-hydroxyethyl)sulfide	(111-48-8)	1 tonne
14.	Pinacolyl alcohol: 3,3-Dimethylbutane-2-ol	(464-07-3)	1 tonne

Note:

The OPCW's Handbook on Chemicals is located on the UKNA's website at "Making a Declaration" along with guidance on how to complete each specific declaration.

CWC Schedule 3 Chemicals

	Chemical The OPCW Handbook on Chemicals provides examples of declared Schedule 3 chemicals.	Chemical Abstract Service Registry Number (CAS)	Annual production quantity above which declarations are required
	A. Toxic Chemicals:		
1.	Phosgene: Carbonyl dichloride	(75-44-5)	30 tonnes
2.	Cyanogen chloride	(506-77-4)	30 tonnes
3.	Hydrogen cyanide	(74-90-8)	30 tonnes
4.	Chloropicrin: Trichloronitromethane	(76-06-2)	30 tonnes
	B. Precursors:		
5.	Phosphorus oxychloride	(10025-87-3)	30 tonnes
6.	Phosphorus trichloride	(7719-12-2)	30 tonnes
7.	Phosphorus pentachloride	(10026-13-8)	30 tonnes
8.	Trimethyl phosphite	(121-45-9)	30 tonnes
9.	Triethyl phosphite	(122-52-1)	30 tonnes
10.	Dimethyl phosphite	(868-85-9)	30 tonnes
11.	Diethyl phosphite	(762-04-9)	30 tonnes
12.	Sulfur monochloride	(10025-67-9)	30 tonnes
13.	Sulfur dichloride	(10545-99-0)	30 tonnes
14.	Thionyl chloride	(7719-09-7)	30 tonnes
15.	Ethyldiethanolamine	(139-87-7)	30 tonnes
16.	Methyldiethanolamine	(105-59-9)	30 tonnes
17.	Triethanolamine	(102-71-6)	30 tonnes

Note:

The OPCW's Handbook on Chemicals is located on the UKNA's website at "Making a Declaration" along with guidance on how to complete each specific declaration.

Annex B: Definitions

The definitions below follow the definitions in the Chemical Weapons Convention and might be slightly different from their normal meaning within the chemical industry.

Production

Production is defined under the CWC as “formation through a chemical reaction or synthesis” - that is, arising from a chemical change involving the formation and/or breaking of chemical bonds.

It is understood, for declaration purposes, to include all steps in the production of a chemical in any units within the same plant through chemical reaction, including any associated processes (e.g. purification, separation, extraction, distillation, or refining) in which the chemical is not converted into another chemical. The exact nature of any associated process (e.g. purification, etc.) is not required to be declared.

It is also understood, for declaration purposes, to include intermediates, by-products, or waste products that are produced and consumed within a defined chemical manufacturing sequence, where such intermediates, by-products, or waste products are chemically stable and therefore exist for a sufficient time to make isolation from the manufacturing stream possible, but where, under normal or design operating conditions, isolation does not occur.

Processing

Processing is physical manipulation of a chemical without a chemical reaction taking place, that is without the formation or breaking of chemical bonds. Examples of processing include formulation, extraction, purification, crystallisation, distillation, condensation, consumption, dilution, concentration, compression and dispersion. Any waste disposal processes occurring on the organisation's site involving a Schedule 2 chemical, which do not result in the consumption of that chemical (e.g. disposal of waste containing a Schedule 2 chemical in a landfill on the organisation's site or blending of such waste with other materials), should also be considered as processing. However, activities such as repackaging and distribution are not considered to be processing.

Consumption

Consumption of a chemical means its conversion into another chemical through a chemical reaction involving the making or breaking of chemical bonds. Therefore, some forms of waste disposal in which a Schedule 2 chemical is converted into another chemical, such as incineration, biodegradation or hydrolysis, e.g. in a scrubber system, should be considered as consumption.

Imports

An import is the physical movement of scheduled chemicals into the territory or any other place under the jurisdiction or control of the UK from the territory or any other place under the jurisdiction or control of another country, excluding transit operations.

You must specify the country from which the scheduled chemicals were dispatched, excluding the countries through which the scheduled chemicals transited and regardless of the country in which the scheduled chemicals were produced.

Declare chemicals that are directly imported by your organisation from outside the UK. Direct imports do not include imported goods bought from or through a trader in the UK. Imports from the Crown Dependencies and British Overseas Territories do not need to be declared.

Exports

An export is the physical movement of scheduled chemicals out of the territory or any other place under the jurisdiction or control of the UK into the territory or any other place under the jurisdiction or control of another country, excluding transit operations. You must specify the intended country of destination, excluding the countries through which the scheduled chemicals transited.

Declare chemicals directly exported by your organisation to outside the UK. Direct exports do not include goods sold to a trader in the UK for onward export. Exports to the Crown Dependencies and British Overseas Territories do not need to be declared.

Transit Operations

Transit operations are the physical movements in which scheduled chemicals pass through the territory of a country on the way to their intended country of destination. Transit operations include changes in the means of transport, including temporary storage only for that purpose.

Chemical Mixtures

Schedule 2

A declaration is required for mixtures containing Schedule 2 chemicals where, at any point in the operation, the concentration of the Schedule 2 chemical(s) is greater than the following:

- Production/processing/consumption of Schedules 2A and 2A* chemicals - 1%.
- Production/ processing/consumption of Schedule 2B chemicals - 30%.

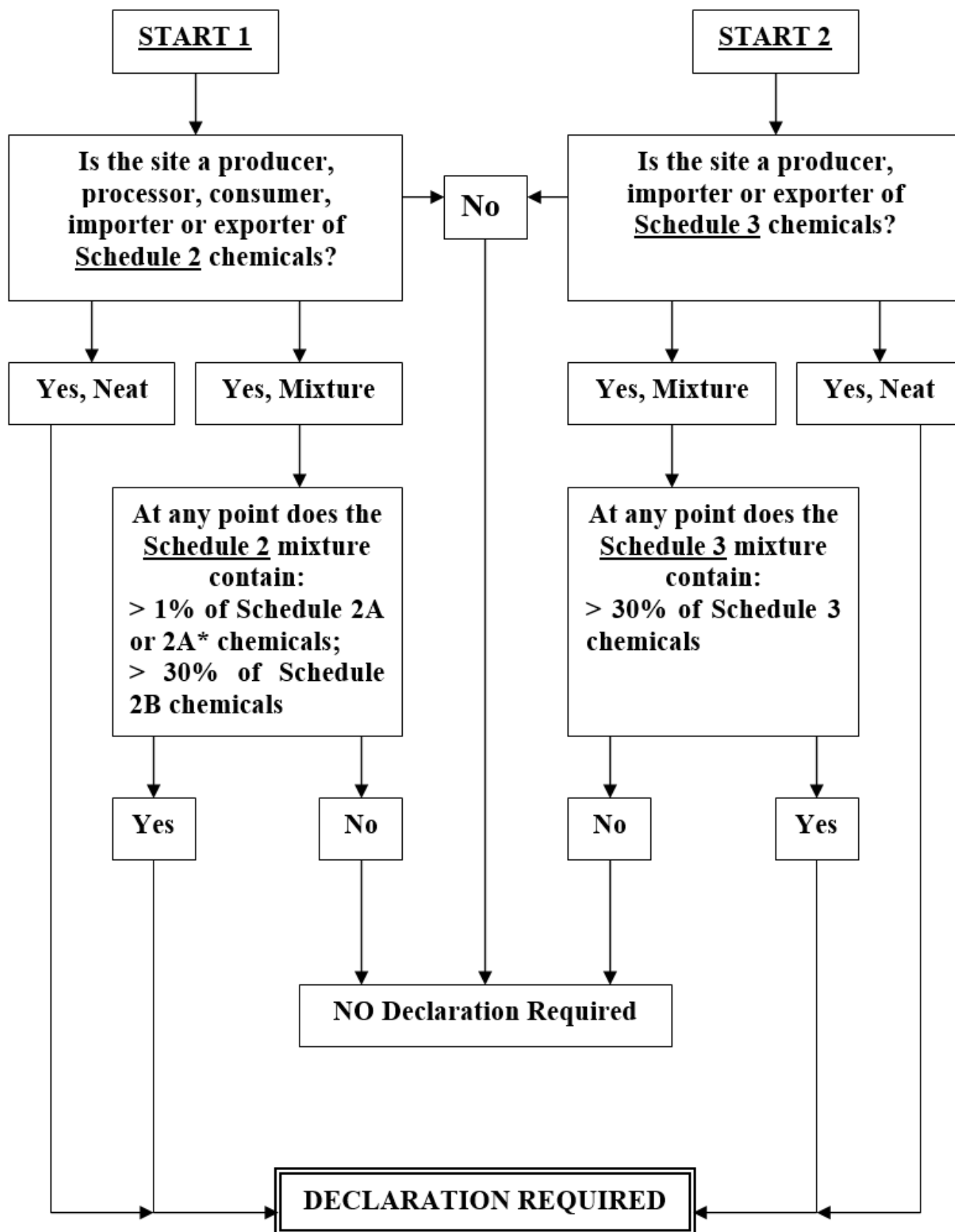
These concentration levels also apply to the import and export of chemical mixtures containing Schedule 2A and 2A* chemicals and Schedule 2B chemicals (i.e. 1% and 30% respectively).

Schedule 3

A declaration is required for mixtures containing Schedule 3 chemicals where, at any point in the operation, the concentration of the Schedule 3 chemical is greater than 30%.

This concentration level also applies to the import and export of chemical mixtures containing Schedule 3 chemicals.

Annex C: Declaration Flow Chart



Annex D: Crown Dependencies and British Overseas Territories

Crown Dependencies

- Guernsey
- Isle of Man
- Jersey

British Overseas Territories

- Anguilla
- Bermuda
- British Antarctic Territory
- British Indian Ocean Territory
- British Virgin Islands
- Cayman Islands
- Falkland Islands
- Gibraltar
- Montserrat
- Pitcairn Islands
- South Georgia and the South Sandwich Islands
- St Helena (with sub-dependencies Tristan da Cunha and Ascension Island)
- Turks and Caicos Islands

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