

TechUK Report on Export Licensing

The report by TechUK (www.techuk.org/) on export licensing has just been published, together with an interim ECO response. This can be found at:

<http://discuss.bis.gov.uk/focusonenforcement/business-focus-on-enforcement-2/business-focus-on-enforcement-techuks-review/>

Evidence of UK Government Lack of Coordination

EGAD is aware of a number of unsubstantiated reports from companies of instances in which they have been misled by UK Government officials into seeking to pursue potential overseas business opportunities, the subsequent export licence applications for which have then been turned down. What the ECO is now seeking is some detail of these cases, so that they can identify the scale of this problem.

If any companies have experienced such instances, they should contact Brinley.Salzmann@adsgroup.org.uk, stating what country was involved, what sector was involved, and what UK Government department was involved, so that the information can be consolidated and submitted by EGAD to the UK Government.

Evidence to the US Government on US Export Control Reform

EGAD has received the following e-mail from Kevin Wolf, at the US Department of Commerce:

Commerce NOI

http://www.bis.doc.gov/index.php/forms-documents/doc_download/1197-80-fr-8520

State NOI

http://www.bis.doc.gov/index.php/forms-documents/doc_download/1202-state-aircraft-and-gas-turbine-engines-noi

Basically, State and Commerce are asking for comments on the aircraft and engines rules -- any comments, good, bad, or otherwise. I know you and your group have lots of good thoughts and suggestions. So, I would encourage you to actively promote these two notices with your members and have them get comments of whatever sort they think best into us by the May 1st deadline.

If any EGAD Members have any comments, they can either feed these directly into the US Government by 1st May, and/or provide them to Brinley.Salzmann@adsgroup.org.uk with their observations by **Friday 17th April**, for EGAD to try to pull together a consolidated response on behalf of UK Industry.

Useful Websites:

www.pmdtc.state.gov/	www.greenlightexports.co.uk
www.strategicexportcontrols.org/	www.davidhayes-exportcontrols.com
www.egad.org.uk	www.export-consultancy.co.uk
www.importexportsolutions.co.uk	www.techuk.org/
www.adsgroup.org.uk	www.siaed.org
www.strongandherd.co.uk	www.export-controls.co.uk
www.gov.uk/government/organisations/export-control-organisation	
www.gov.uk/browse/business/imports-exports/import-and-export-controls	

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NEWS LETTER



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News: Report of the House of Commons Committee on Arms Export Controls

On Friday 20th March 2015, the House of Commons Committee on Arms Export Controls (otherwise affectionately known as the CAEC - www.parliament.uk/business/committees/committees-a-z/other-committees/committee-on-arms-export-controls/) published its latest report on UK export controls, in 3 volumes.

Volume 1 (58 pages) 2nd Joint Report; 10th Report of the Business, Innovation and Skills Committee; 9th Report of the Defence Committee; 11th Report of the Foreign Affairs Committee; 11th Report of the International Development Committee - Session 2014-15, HC 608 | Published 20 March 2015
www.publications.parliament.uk/pa/cm201415/cmselect/cmquad/608/608.pdf;
Volume II: Memorandum from the Chairman of the Committee HC 608,
www.publications.parliament.uk/pa/cm201415/cmselect/cmquad/608/608ii.pdf (642 pages!);
Volume III - Oral and Written Evidence, HC 608,
www.publications.parliament.uk/pa/cm201415/cmselect/cmquad/608/608ii.pdf (480 pages!)

Of particular interest to EGAD may be the section on organisational and operational issues including the Committee asking whether the Government will “engage in detailed and constructive discussions with EGAD to establish whether EGAD’s frustrations in dealing with ECO, as recounted to the Committees, are historic or current, and, if the latter, whether it will take the earliest possible steps to try to resolve them”.

It is noticeable that there has been remarkably little media coverage of the release of the CAEC’s latest report, in comparison to the publication of previous reports. The Independent has run a story on the report (www.independent.co.uk/news/uk/politics/government-accused-of-allowing-arms-manufacturers-to-export-in-secret-10120718.html) – but, other than that, the report appears to have received little media coverage, outside of the “usual suspects”, including CAAT (www.caat.org.uk/media/press-releases/2015-03-19), Russia Today (<http://rt.com/uk/243085-uk-arms-human-rights/>) and a number of Iran-related media outlets!

News: Executive Committee News

We are delighted to be able to announce that Bernadette Peers, of Strategic Shipping Company (www.strategic-shipping.com/) has been selected by her fellow Executive Committee Members to serve as the Chairman of EGAD, following the decision of David Wilson, formerly of HP Enterprise Services, to stand down.



Export Licensing “Agony Aunt”

Q1 - “We are supporting a client with a proposal to the Czech MoD for body armour working with a Czech company as prime.

The Czech company has asked us to produce an 'authorisation to trade with military material' in accordance with European Directive 2009/43/EC. Neither I nor the company I am supporting, who have previously exported worldwide, have heard of this requirement. Can you throw any light on it please?”

A – UK firms are increasingly coming across this. In some nations, defence firms have to register to operate and trade, but, of course, we do not have that requirement here in the UK. Therefore, most UK firms simply send overseas customers a copy of their export licence and of the ECO's covering letter, and this has satisfied them.

Q2 - “We are currently supplying some components to Dassault Aviation for use in its Rafale combat aircraft programme. So far we have been able to make use of the OGEL (Military Goods, Software and Technology) to facilitate these shipments, as until now the Rafale had only been in service with the French Armed Forces. However, as of 16th February, when the contract was placed for the sale of 24 x Rafales to Egypt, and with the subsequent sale of 36 Rafales to India, this is no longer valid to cover these export sales. Dassault has approached us to let us know that it intends to divert those systems, sub-systems and components which had previously been supplied to it, for incorporation into the aircraft to be built for Egypt. What should we do?”

A – This has now been raised with us by a number of UK firms who are in exactly the same position. The Export Control Organisation is already well aware of this situation, and any UK firms in this position should make contact with their Compliance Inspectors to discuss their licensing needs with them.

Navigating the U.S. Export Control Reform with AEB and Covington & Burling

- Free workshop on 12th and 13th May 2015 in London by solution experts and law specialists
- Master the U.S. Export Control Reform (ECR) and ensure compliance in everyday business

In a joint mission to increase awareness on U.S. export controls and latest changes under the ECR, the solution provider AEB is partnering with the regulatory practice Covington & Burling to offer a free 2-day workshop titled “Navigating the U.S. Export Control Reform”. This workshop is tailored to assist businesses in the aerospace and defence sector to get an overview of the ECR, and what it means for them in everyday business. Legal experts will present latest export control changes, legal obligations and corresponding authorities and penalties. Topic specialists will lead the workshop's practical sessions on commodity classifications, licence requirements and transition items. The agenda also includes best-practice examples for successful export compliance programmes, and plenty of opportunities for participants to engage in discussions with industry peers and experts, and address additional questions during the event's dedicated Q&A feedback session at the end of the two-day workshop programme. Registrations and event inquiries can be submitted online via www.aeb.com/uk/events, or contact AEB, Iqbal Pannu, email iqbal.pannu@aeb.com, to find out more.

AEB (International) Ltd | T 01926 801250 | info.uk@aeb.com | www.aeb.com/uk | Leamington Spa,

US EXPORT CONTROL WORKSHOP – “THE ITAR ‘VIRUS’ EARVOLVES!” Tuesday 9 – Thursday 11 June 2015 Stratford-upon-Avon

The hugely successful three-day ITAR Workshop sessions, which are jointly organised by [EGAD](#), [Squire Patton Boggs](#) and [Strategic Shipping Company Ltd, of the UK](#), will be taking place again in Stratford-upon-Avon from **9-11 June 2015**.

Coverage of EAR and ECR was enormously helped by the personal, active participation of a number of senior officials from the US Department of Commerce's Bureau of Industry and Security, who have been intimately involved in the whole ECR process and who have given plenary presentations, as well as leading break-out workshops, at all of which delegates have been able to pose questions and queries on EAR and ECR.

This event will be in a format which includes an option either to (1) attend a one-day, high-level, executive briefing on what is happening under the Export Control Reform and the impact of the ITAR and EAR on your business (which will be taking place on Tuesday 9 June), OR (2) the whole, three-day program, including the one-day briefing plus two days of detailed workshops.

TESTIMONALS

- “Best ITAR training I have attended “
- “An excellent well balanced course well-structured and encompassing information for all.”
- “Phenomenal knowledge of subject by all speakers.”
- “Very knowledgeable speakers and presented in a clear and concise matter.”
- “Fantastic event and definitely worth attending. The case studies were very useful to put theory into practical scenarios.”

FORMAT

Video examples, group working, panel sessions and exercises to give a better understanding of the ITAR and EAR, provided by a number of subject matter experts, including a senior official from the US Department of Commerce

BENEFITS

- Access to leading experts in the field
- Opportunities to network with peers
- Extensive conference binder and detailed Handbook

WHATS NEW

- Two Webinars will be available before the course
- Opportunity to attend the Dinner if you come to the One Day

FURTHER DETAILS

Any interested companies can contact: Laura Akers, Event Manager, ADS (**Tel:** +44 (0) 20 7091 7812; **Mob:** +44 (0) 7825 712528; **Fax:** +44 (0) 20 7091 4545; **Email:** Laura.Akers@adsgroup.org.uk)

FORTHCOMING EVENTS

Intermediate and Beginners Workshops
Birmingham, 16 and 17 April
denise.carter@bis.gsi.gov.uk

SIA's Spring Conference
Los Angeles, 4 – 5 May
<http://www.siaed.org/en/cev/188>

Navigating the U.S. Export Control Reform
FREE 2-day workshop by AEB and
Covington & Burling
London, 12-13 May 2015
iqbal.pannu@aeb.com

Intermediate Workshop
London, 13 May
denise.carter@bis.gsi.gov.uk

Making Better Licence Applications
London, 20 May
denise.carter@bis.gsi.gov.uk

Intermediate and Beginners Workshops
Southampton, 4 and 5 June
denise.carter@bis.gsi.gov.uk

US Export Controls Workshops
Stratford-Upon-Avon, 9 – 11 June
Laura.Akers@adsgroup.org.uk

Control List Classification and Using the
Checker Tools: Military Goods
London, 10 June
denise.carter@bis.gsi.gov.uk

Making Better Licence Applications
London, 11 June
denise.carter@bis.gsi.gov.uk

Control List Classification and Using the
Checker Tools: Dual-Use Goods
London, 24 June
denise.carter@bis.gsi.gov.uk

Making Better Licence Applications
London, 25 June
denise.carter@bis.gsi.gov.uk

Intermediate and Beginners Workshops
Cambridge, 1 and 2 July
denise.carter@bis.gsi.gov.uk

Control List Classification and Using the
Checker Tools: Dual-Use Goods
London, 7 July
denise.carter@bis.gsi.gov.uk

Making Better Licence Applications
London, 8 July
denise.carter@bis.gsi.gov.uk

ECO Symposium
London, 22 September
denise.carter@bis.gsi.gov.uk

European Export Controls
Brussels, 29 – 30 September
www.c5-online.com/2016/590/european-export-controls/overview

SIA's Fall Advanced Conference
Washington DC, 26-27 October
<http://www.siaed.org/en/cev/190>