**[www.egad.org.uk](http://www.egad.org.uk)**

**NEWS: EGADD/TCCG Joint Survey**

The Export Group for Aerospace, Defence & Dual-Use (EGADD) and techUK’s Trade & Customs Compliance Group (TCCG) are once again jointly conducting a survey to enable them to assess exporters’ own practical experiences with the UK’s export and trade control system.

This follows the publication by the ECJU of its latest annual report (covering 2022) in which it stated that it had met its 20-working day turnaround of licence applications during that year only on 61% of occasions, as opposed to its stated target of 70% (<https://www.gov.uk/government/publications/uk-strategic-export-controls-annual-report-2022?utm_medium=email&utm_campaign=govuk-notifications-topic&utm_source=bfc694d3-3bc2-4078-997a-d26863e7f77d&utm_content=daily>).

Much of these processing problems result from the staffing resource problems that the ECJU and its advisory Government departments have been experiencing. The UK used to have, up until c.2006/07, what was widely regarded as being one of the most pragmatic, effective and efficient licensing systems in the World, with its rational and proportionate balance between Open Licensing to control the least contentious goods going to the least contentious customers, and normal licensing, through the Standard Individual Export Licence (or SIEL) system, so that the Government could focus its limited resources on those cases that really did need careful examination and consideration. However, since c.2006/07, whilst staffing resources (which are probably sufficient to cope efficiently with c.10-12,000 SIEL applications a year) have not increased, the workload has consistently been much greater.

This survey will consider all aspects of the export/trade control licensing process. We are seeking feedback on companies’ practical experiences of dealing with the UK’s export and trade control licensing system over an 18-month period (ie in the period 1st January 2022 to 30th June 2023).

The intention would be to produce a consolidated summary report with any major generic, common issues or concerns being put to the ECJU for its response. All supplied information will be treated in confidence, and will be anonymised as far as practicable, unless companies specifically state that they are happy to be quoted.

This Survey seeks inputs from any and all UK companies concerning their current experiences when working with the existing system. Please answer all questions that are relevant to you. If they are not, just skip them. Please provide in free-form text any additional and/or innovative ideas and suggestions you might wish to share with us. The Survey is to be found at: <https://www.surveymonkey.co.uk/r/LKCCSB5>.

If anyone has any queries, please contact: Brinley.Salzmann@adsgroup.org.uk.



# **September 2023 Edition**

Correspondence to:

The Editor

EGADD

Brinley.Salzmann@adsgroup.og.uk

# **Presence at the Defence & Security Equipment International 2023 exhibition**

Members are informed that, once again, it is planned for EGADD to share an information “pod” at the biennial DSEI 2023 exhibition, which is due to take place at the ExCeL exhibition centre in London Docklands on Tuesday 12th to Friday 15th September. The pod (**H2-582**) in the UK National Pavilion is planned to be manned throughout the exhibition by export control experts; if any EGADD Members are planning on attending DSEI 2023, they are warmly encouraged to pop by the stand and pose any queries that they may have with the experts who will be on duty at the event. The “Export Control Information and Advice” stand, which is being shared with the Export Control Profession, at the Institute of Export (<https://www.exportcontrolprofession.co.uk/>), will also be close to the stand for the Export Control Joint Unit.

# +++++++++++++++++++++++++++++++++++++++++++++++++++++++

**EGADD Main Meeting**

This year’s annual Main Meeting will be taking place in a physical form on **Monday 9th October**.

Delegates will have the opportunity to discuss the latest topical news on export and trade control issues with subject matter experts, covering key subjects such as:

* The normal “state of the union” address by ECJU;
* A demonstration of LITE by ECJU;
* Customs and Compliance Issues (especially including Northern Ireland), by HMRC;
* Sanctions developments by FCDO;
* Panel Discussion on Sanctions and how they work in practice;
* Regulations on Trade with the People’s Republic of China by FCDO;
* Update on UK/US Defence Cooperation by UK MoD;
* The vital role that software can play in compliance by OCR.

Further details of this event can be able to be found at: <https://www.adsgroup.org.uk/events-list/egadd-main-meeting-2023/>.

 ++++++++++++++++++++++++++++++++++++++++++++++++++++++++

# **Employment Opportunities in the Strategic Export Controls Arena**

Members are reminded that EGADD offers a FREE service whereby anyone with any vacancies within the discipline of export and trade controls can advertise any potential employment opportunities on the EGADD website.

Further details of this are available at: <https://www.egad.org.uk/news/job-opportunities/>.

++++++++++++++++++++++++++++++++++++++++++++++++++++++++

# **EGADD Executive**

# **Committee**

**Chairman**

Spencer Chilvers

Rolls-Royce plc

**Vice – Chairs**

Leigh Zone

Baker Hughes

Susan Griffiths

MBDA UK Ltd

**Secretary**

Brinley Salzmann, ADS

Brinley.Salzmann@adsgroup.org.uk

**Members**

Mark Smalldon

BAE Systems

Sue Tooze

BAE Systems

*Sunny Mann, Baker & McKenzie LLP (Legal Adviser and Observer)*

Sandra Roberts

Boeing UK

Peter Buck

Collins Aerospace

Warren Bayliss

Deloitte

David Macready

Fujitsu

Terry Irvine

GKN Aerospace

Lindy Davies-Myatt

Inmarsat

Kevin Tomsett

Jacobs

Marita Ryman

Leonardo

Anthony Pritchard

Marshall ADG

Michael Bell

Michael Bell Export Controls

Leonie James

MSI-Defence Systems

Louise Howls

Northrop Grumman

David Abbott

Reaction Engines

Liz Sumner

Scott Safety

**Useful Websites:**

[www.pmddtc.state.gov/](http://www.pmddtc.state.gov/) [www.strategicexportcontrols.org/](http://www.strategicexportcontrols.org/) [www.davidhayes-exportcontrols.com](http://www.davidhayes-exportcontrols.com) [www.export-consultancy.co.uk](http://www.export-consultancy.co.uk) [www.importexportsolutions.co.uk](http://www.importexportsolutions.co.uk) [www.techuk.org/](http://www.techuk.org/)

[www.adsgroup.org.uk](http://www.adsgroup.org.uk) [www.siaed.org](http://www.siaed.org)

[www.strongandherd.co.uk](http://www.strongandherd.co.uk) [www.export-controls.co.uk](http://www.export-controls.co.uk)

[www.gov.uk/government/organisations/export-control-organisation](http://www.gov.uk/government/organisations/export-control-organisation)

[www.gov.uk/browse/business/imports-exports/import-and-export-controls](http://www.gov.uk/browse/business/imports-exports/import-and-export-controls)

4

1

# **EGAD Sub-Committees**

HM Revenue & Customs

**Members**: Elizabeth Carter, Elsie Chandler, Graham Jenkins (of GJ Consultancy), David Barber (of Goodrich Corporation), Peter O'Rorke, Brinley Salzmann

**Report:** It is hoped to have the next meeting of the HMRC Sub-Committee with HMRC, themselves, before the end of the year. Any members with any particular issues should send them to the EGAD Secretary by the end of November.

Awareness Outreach Activities

**Members**: Elizabeth Carter, Laurence Carey (of MBDA UK), Jo Guthrie (of the DTI), Nicola Jenkins (of Rolls-Royce), Nigel Knowles, Sylvia van Tellegen (of Muirhead Aerospace), Paul White (of BAE Systems), Brinley Salzmann

**Report:** This Sub-Committee has been looking at ways in which it can assist the DTI to promote greater awareness of export and trade control issues across Industry. The next meeting of the Sub-Committee is due to take place near Newbury on Tuesday 17th January, and if any Members in that area would like to pop along for an informal networking lunch with the Sub-Committee Members immediately after their meeting, please contact the EGAD Secretary.

Compliance Support

**Members**: John Allen (of BAE Systems), Paul White, Laurence Carey, Elizabeth Carter, Elsie Chandler, Andy Baker (of Raytheon Systems), Farouk Saeed, Bernadette Peers, Brinley Salzmann

**Report:** The first meeting of this Sub-Committee with the Compliance Unit at the ECO took place on 9th September, to discuss a range of compliance issues. As a result of the meeting the Sub-Committee has agreed to draft a proposed internal compliance awareness card, for approval by the ECO, which companies could then circulate to staff.

**Export Licensing “Agony Aunt”**

***Q1 - “During the Pandemic, the UK Export Control Organisation (ECO) permitted Consignee Undertakings to be accepted by means of digital rather than wet signature. This was extremely efficient and made life significantly easier. However, we heard recently that the ECJU plan to return to wet signature Consignee Undertakings – is this true?”***

A – No, this is not the case. This has been the source of some confusion of late, and EGADD has raised this with the ECJU, especially since it issued a Notice to Exporters (NTE 2022/29), and the accompanying guidance notes (<https://www.gov.uk/government/publications/notices-to-exporters-202229-revised-licence-undertakings-and-notice-of-expiry-of-previous-undertaking-templates/nte-202229-revised-licence-undertakings-and-notice-of-expiry-of-previous-undertaking-templates> and <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/948112/end-user-undertaking-form.pdf>) where it stated that:

• “‘Digital’ signatures are not acceptable, and that

• 'the original EUU or SU together with the covering letter are obtained and kept by you at your premises. These original documents may be requested by ECJU at any time.'”

In response we have been assured that the above NTE only covered the use of Undertakings generally and cessation of the use of the pre-2021 Undertakings that didn’t have the ‘UK’ in the sanctions text, which exporters were still using. The ‘Digital Signature’ requirement is still waived under the previously issued NTEs, despite the new Undertakings being published in 2021. If and when the relaxations relating to ‘digital signatures’ are changed, there WILL be an NTE issued to let Industry know.

***Q2 - “We have been told emphatically by a number of US entities that the Exchange of Notes between the DDTC and UK MoD published back on 11th August 2011 and stating that UK firms can satisfy the ITAR 126.18 rule change associated with dual and third country nationals through the use of the Baseline Personnel Security Standard is no longer valid and that we need to do something much more thorough – is this correct?”***

A – No, this is not correct – the Exchange of Notes (the details of which have unfortunately disappeared from both the ECJU’s and the DDTC’s websites, but are still safely ensconced on the EGADD website at <https://www.egad.org.uk/useful-guidance/>) still stand, and UK firms can still make use of the BPSS system (<https://www.gov.uk/government/publications/united-kingdom-security-vetting-clearance-levels/national-security-vetting-clearance-levels#Baseline%20Personnel%20Security%20Standard>) to meet their needs in this regard.

++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++

**Training**

EGADD is continuing to work with Content Enablers (<https://www.contentenablers.com/site/>), the global leader in trade compliance training, to help Member Companies meet compliance challenges.  Content Enablers’ unique, web-based training can be used for all employees, but is also available in function-specific modules for HR, Engineering, and Sales and Marketing professionals – all presented in an intuitive process that helps learners understand the regulations regarding:

* Who is involved in their transactions,
* What goods or services are the subject of their transactions, and
* How their transactions are being conducted.

The content is presented in clear, easy-to-understand microlearning elements that highlight key compliance concepts relevant to each job function, offer engaging scenarios that illustrate how these concepts can impact day-to-day job situations, and provide additional resources to reinforce learning. Further details can be found at: [https://egadd.tradecompliance.courses/](https://protect-eu.mimecast.com/s/rH3-Cyr4Ysr0XlZuZZ-Ht?domain=egadd.tradecompliance.courses/)

Meanwhile, sight must not be lost of EGADD’s relationship with Cranfield University (<https://www.cranfield.ac.uk/>) in the development of their joint training courses – details available at: <https://www.strategicexportcontrols.org/>.

**Baker McKenzie’s Annual Compliance Conferences**

Baker McKenzie LLP is organising an extensive and ambitious series of free-to-participate on-line Compliance Conferences during the period 5th September to 5th October. These are due to cover a highly diverse range of compliance-related topics, including:

* Anti-Bribery & Corruption and Economic Crime (5-7 September);
* Customs and Key Compliance Developments (12-14 September);
* ESG, Supply Chain and Product Compliance (19-21 September);
* Sanctions & Export Controls (26-28 September);
* Anti-Trust Compliance (3-5 October).

Further details of all of the above are to be found at: [https://weblon2.bakermckenzie.com/reaction/emsdocuments/231005%20Annual%20Compliance%20Conference/Baker%20McKenzie's%20Virtual%20Annual%20Compliance%20Conference%202023%20Agenda%20CASE2242967\_V11.pdf](https://weblon2.bakermckenzie.com/reaction/emsdocuments/231005%20Annual%20Compliance%20Conference/Baker%20McKenzie%27s%20Virtual%20Annual%20Compliance%20Conference%202023%20Agenda%20CASE2242967_V11.pdf)

++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++

**The Export Control Profession**

The Export Control Profession (<https://www.exportcontrolprofession.co.uk/>) is a special interest group of the Institute of Export & International Trade (<https://www.export.org.uk/>). The mission of the Export Control Profession is to support and represent the export control profession, to promote compliance with export and import controls and trade sanctions in the UK and globally, and to provide Members with essential resources, professional points of contact and learning support. EGADD works very closely with the ECP, as it was always our intention, ever since EGADD was created, to try to seek to encourage greater professionalism with the compliance community, and even to try to make sure that future generations of compliance officers have not fallen into the discipline more or less by accident (which, currently, is almost invariably the case.

The ECP runs a series of events, including webinars, the next of which is due to take place on Monday 30th October, and deal with the issue of US Export Controls.

++++++++++++++++++++++++++++++++++++++++++++++++++++++++++++

**EGADD Executive Committee Elections**

As is usual, to seek to ensure that it is democratically accountable, a third of the existing EC stood down and offered up their seats for potential election. However, has been no need for an election for the EC this year, as we have the same number of candidates as seats for this year.

Thus, the following are returned without opposition:

• Sue Tooze, BAE Systems

• Leigh Zone, Baker Hughes

• Sandra Roberts, Boeing

• Sue Griffiths, MBDA

• David Abbott, Reaction Engines

Mathew Fowler’s vacated seat is to be taken by:

• Kevin Tomsett, Export Control Compliance Manager from Jacobs

In addition, Collins Aerospace has asked if their seat, which had previously been filled by Brett Carter can now be re-allocated to:

• Peter Buck, Senior Manager, Technology Management, EMEA and APAC, Power & Controls

We would like to take this opportunity to thank the above individuals for their tireless efforts on behalf of EGADD.

##### *FORTHCOMING EVENTS*

Intermediate Seminar

Aberdeen, 18 September

denise.carter@trade.gov.uk

Licenses and “Are my items controlled?” Workshops

Aberdeen, 19 September

denise.carter@trade.gov.uk

Intermediate Seminar

Edinburgh, 20 September

denise.carter@trade.gov.uk

Licenses and “Are my items controlled?” Workshops

Edinburgh, 21 September

denise.carter@trade.gov.uk

Export Controls & Sanctions Conferences

On-Line, 26-28 September

Kate.Bullard@bakermckenzie.com

Defence Exports

London, 27-28 September

events@saemediagroup.com

WorldECR Export Controls & Sanctions Forum

London, 5-6 October

<https://www.worldecr.com/worldecr-forum/>

EGADD Annual Main Meeting

London, 9 October

Megan.Blackman@adsgroup.org.uk

Intermediate Seminar

Oxford, 17 October

denise.carter@trade.gov.uk

Licenses and “Are my items controlled?” Workshops

Oxford, 18 October

denise.carter@trade.gov.uk

SIA’s Fall Advanced Conference

Washington DC, 23-24 October

<https://siaed.org/event-4967737>

Intermediate Seminar

Leeds, 24 October

denise.carter@trade.gov.uk

Licenses and “Are my items controlled?” Workshops

Leeds, 25 October

denise.carter@trade.gov.uk

Intermediate Seminar

Manchester, 14 November

denise.carter@trade.gov.uk

Licenses and “Are my items controlled?” Workshops

Manchester, 15 November

denise.carter@trade.gov.uk

Global Economic Sanctions

London, 16-17 November

<https://www.c5-online.com/global-economic-sanctions-london/>

ECJU Symposium

London, 29 November

denise.carter@trade.gov.uk

For details of other events, see: <https://www.egad.org.uk/category/events/>

2

3