
STATUTORY INSTRUMENTS

2019 No. 989

The Export Control (Amendment) Order 2019

Amendments to the Export Control Order 2008

2.—(1) The Export Control Order 2008(1) is amended as follows.

(2) In Article 2(1) (interpretation), for the definition of “the torture Regulation”, substitute—

“the torture Regulation” means Regulation (EU) 2019/125 of the European Parliament and of the Council of 16th January 2019 as amended from time to time;”

(3) In Article 36 (offences relating to prohibitions and restrictions in the torture Regulation), in paragraph (7), for “Article 8(8)” (types of authorisation and issuing authorities), substitute “Article 20(8)”.

(4) In Article 36A (further offences relating to the prohibitions etc. in the torture Regulation)—

(a) for the reference to “Article 4a(1)” (prohibition of transit of goods listed in Annex 2) in each place it occurs, substitute “Article 5(1)”;

(b) for the reference to “Article 4b” (prohibition of brokering services) in each place it occurs, substitute “Article 6”;

(c) for the reference to “Article 4c” (prohibition of training) in each place it occurs, substitute “Article 7”;

(d) for the reference to “Article 4d” (trade fairs) in each place it occurs, substitute “Article 8”;

(e) for the reference to “Article 4e” (advertising) in each place it occurs, substitute “Article 9”;

(f) for the reference to “Article 6a” (prohibition of transit of goods listed in Annex 3), substitute “Article 13”;

(g) for the reference to “Article 7a(1)” (authorisation requirement for certain services) in each place it occurs, substitute “Article 15(1)”;

(h) for the reference to “Article 7d” (prohibition of transit of goods listed in Annex 4), substitute “Article 18”; and

(i) for the reference to “Article 7e(1)” (authorisation for certain services) in each place it occurs, substitute “Article 19(1)”.

(5) In Schedule 2 (military goods, software and technology)—

(a) under the heading “Definitions”, in the definition of “required”, omit “and the intended use of “technology” is irrelevant to whether it is “required””;

(b) under the heading “Military, Security and Para-military Goods, Software and Technology and Arms, Ammunition and related Material” –

(i) for the entry ML1.d. including the Note to that entry, substitute—

“d. Accessories designed for firearms specified in ML1.a., ML1.b. or ML1.c., as follows:

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1. Detachable cartridge magazines;
2. Sound suppressors or moderators;
3. Special gun-mountings;
4. Flash suppressors;
5. Optical weapon-sights with electronic image processing;
6. Optical weapon-sights specially designed for military use.”;

(ii) in the entry ML8.a., before the Note, insert—

“42. EDNA (Ethylenedinitramine) (CAS 505-71-5);”;

(iii) in the entry ML8.c.1., for the Note, substitute—

“Note 1: ML8.c.1. does not apply to the following “aircraft” fuels: JP-4, JP-5, and JP-8.

Note 2: “Aircraft” fuels controlled in ML8.c.1. are finished goods, not their constituents.”;

(iv) in the Note to the entry ML8.c.10.b., omit “to JP-4, JP-8,”;

(v) in the entry ML8.e.16., before “nitratomethylmethyloxetane”, insert “(”;

(vi) in the entry ML8.e., at the end of the numbered list, insert—

“21 TMETN (Trimethylolethane trinitrate) (CAS 3032-55-1);”;

(vii) for the entry ML8.f.5., substitute “Lead beta-resorcylate (CAS 20936-32-7) or copper beta-resorcylate (CAS 70983-44-7)”;

(viii) in the entry ML10.f., omit Technical Note 2;

(ix) in the entry ML13.a., for “N.B. For body armour plate, see ML13.d.2.”, substitute “N.B. For body armour plates, see ML13.d.2.”;

(x) for the entry ML17.1., substitute “ISO intermodal containers or demountable vehicle bodies (i.e., swap bodies), specially designed or modified for military use;”;

(xi) in the entry ML17.o., for “and”, substitute “or”; and

(xii) in the entry ML20.b., for “(rotating machinery and transformers)”, substitute “(rotating machinery or transformers)”.

(6) In Schedule 4 (countries and destinations subject to stricter export or trade controls), in Part 2 (embargoed and subject to transit control for military goods), omit “Eritrea”(2).

(2) The reference to Eritrea was inserted by [S.I. 2010/2007](#), article 3(a).