Dual-use goods and technologies, nuclear products and technologies: control of exports

1992/1024(CNS) - 19/12/1994 - Final act

1) OBJECTIVE To set up a Community regime for the control of exports of dual-use goods on the basis of rules common to all the Member States. 2) SUBSTANCE 1. This regulation establishes a Community regime for the control of exports of dual-use goods. 2. Dual-use goods shall means goods which can be used for both civil and military purposes. 3. An authorisation shall be required for the export of the dual-use goods listed in Annex I to Council Decision 94/942/CFSP of 19 December 1994 concerning the control of exports of dual-use goods. This authorisation is valid throughout the Community. 4. An export authorisation shall be required for the export of dual-use goods not listed in Annex I to Council Decision 94/942/CFSP, if the exporter has been informed by his authorities that the goods in question are or may be intended, in their entirety or in part, for one of the following: * the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons; * the development, production, maintenance or storage of missiles capable of delivering such weapons, as covered by the corresponding non-proliferation arrangements. 5. An export authorisation is specific. It is granted by the competent authorities of the Member State in which the exporter is established. However, Member States may apply simplified authorisation procedures or require authorisations to be subject to certain requirements. 6. Where an export authorisation is refused, annulled, suspended, substantially limited or revoked by a Member State, it shall inform the other Member States. 7. Member States may limit the number of customs offices responsible for customs formalities for exports. The list of competent customs offices is published for information purposes in the "C" series of the Official Journal of the European Communities. This regulation adopts the customs formalities to be met by exporters. 8. Exporters must provide the competent authorities with all the information required concerning their export request or their activities. 9. Member States may prohibit or make subject to export authorisation goods not listed in Annex I to Decision 94/942/CFSP. In this case, that Member State must notify the Commission and the other Member States of the measures it has taken. 10. Direct cooperation is established between the competent authorities of the Member States for the application of this regulation. 11. Specific provisions concerning intra-Community transfers of: * separated plutonium; * uranium enriched to more than 20%; * installations, main components of crucial importance and technology related to reprocessing, to enrichment and to the production of heavy water. 12. A coordinating group chaired by a representative of the Commission and composed of representatives from each Member State shall be set up. The regulation shall enter into force on 31 December 1994 and apply from 1 March 1995. Source: European Commission - Info92 - 10/95