

United Kingdom | Global Trade Advisory | 1 April 2024



On 12 March 2024, the UK's Export Control Joint Unit (ECJU) published the Export Control (Amendment) Regulations 2024 revising the Export Control Order 2008 ("the 2008 Order") and Council Regulation (EC) No 428/2009. The 2008 Order provided a legal framework for UK's export controls. Council Regulations (EC) No 428/2009 of 2009 established a community regime for export control, transfer, brokering and transit of dual-use items. In 2023, it was assimilated under the Retained EU Law (Revocation and Reform) Act 2023 and referred to as the assimilated Dual-Use Regulations.

The amendments took effect on 1 April 2024. Following these amendments, the consolidated list of strategic military and dual-use items requiring export authorization will be amended and published as well.

Amendments impacting Schedule 2 and Schedule 3 of the 2008 Order

Amendments to Schedule 2 reflect routine technical updates to the Wassenaar Arrangement lists from December 2023, including:

- Editorial revisions to Technical Notes within specific entries, such as ML4, ML7, ML8, ML9, ML14, and ML17;
- An additional decontrol note for a chemical in sub entry ML8.d; and
- Clarification regarding the control scope for production equipment in sub-entries ML18 and ML18.b.

Amendments to Schedule 3 introduce new controls on certain emerging technologies. Specifically, the amendments incorporate three new entries (PL9013, PL9014, and PL9015) related to quantum technologies, cryogenic technologies, semiconductor technologies, additive manufacturing equipment, and advanced materials. The export of this equipment will now require an export license for all destinations.

Amendments impacting Annex I of the assimilated Dual-Use Regulation

Amendments to Annex I reflect routine technical updates to the Wassenaar Arrangement dual-list, and changes to the control lists administered by other multilateral export control regimes including the Australia Group, Nuclear Suppliers Group, and the Missile Technology Control Regime. The modifications include:

- Editorial revisions to Technical Notes and definitions within specific entries;
- Alteration of control parameters for some items, including those in Category 3 and Category 8;
- A new sub-entry for iodine pentafluoride in entry 1C011.e;
- Changes to decontrol Note 2.e. for commercial cryptography applications in entry 5A002.a; and
- Minor changes in entries PL5001.f and in 9E001 and 9E002.

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- Reviewing export compliance management strategies to adapt to the new controls;
- Reviewing information security policies for controlled information; and/or
- Designing and implementing automated solutions for export compliance processes.

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