
STATUTORY INSTRUMENTS

1990 No. 128

CUSTOMS AND EXCISE

The Export of Goods (Control) (Amendment) Order 1990

Made - - - - - *29th January 1990*

Coming into force - - - - - *14th February 1990*

The Secretary of State, in exercise of powers conferred by section 1 of the Import, Export and Customs Powers (Defence) Act 1939⁽¹⁾, and now vested in him⁽²⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Export of Goods (Control) (Amendment) Order 1990 and shall come into force on 14th February 1990.

2. The Export of Goods (Control) Order 1989⁽³⁾ shall be amended as follows:

(a) for article 3 there shall be substituted the following:

“3. The prohibition in article 2(xiii) of this Order shall not apply to any exportation to any destination in the United States of America or the Commonwealth of Puerto Rico which is in accordance with a European Community export licence issued by the competent authority of a Member State in conformity with the provisions of Commission Regulation (EEC) No. 3725/89⁽⁴⁾ or Commission Regulation (EEC) No. 3726/89⁽⁵⁾ or Commission Decision No. 3727/89/ECSC⁽⁶⁾, and which is covered by an export certificate drawn up in conformity with those provisions.”;

(b) in Group A of Part I of Schedule 1 (Goods specified by reference to Headings and Sub-headings of the Combined Nomenclature (“CN”)), there shall be deleted the entries relating to the following CN headings:

262030 (Ash and residues, (other than from the manufacture of iron or steel), containing metals or metallic compounds – containing mainly copper);

720410 (Waste and scrap metal of cast iron (ECSC), Waste and scrap of alloy steel);

720421 (Waste and scrap of stainless steel (ECSC));

720429 (Other (ECSC));

(1) 1939 c. 69

(2) See S.I. 1970/1537

(3) S.I. 1989/2376

(4) O.J. No. L368, 18.12.89, p.37.

(5) O.J. No. L368, 18.12.89, p.60.

(6) O.J. No. L368, 18.12.89, p.74.

720430 (Waste and scrap of tinned iron or steel);
 720441 (Turnings, shavings, chips, milling waste, sawdust, filings, trimmings and stampings, whether or not in bundles (ECSC));
 720449 (Other (ECSC));
 720450.10 (Remelting scrap ingots: of alloy steel (ECSC));
 7404 (Copper waste and scrap);
 7602 (Aluminium waste and scrap);
 7802 (Lead waste and scrap);
 790200 (Zinc waste and scrap);

- (c) for Group C of Part I of Schedule 1 (Steel products prohibited to be exported to the United States of America or the Commonwealth of Puerto Rico) there shall be substituted the following:

“The products specified in Annex I to the following Community instruments on the restriction of exports of certain steel products to the United States of America,

Council Regulation (EEC) No. 3722/89(7)

Council Regulation (EEC) No. 3723/89(8) and

Commission Decision No. 3724/89/ECSC(9).”;

- (d) in Group 1 of Part II of Schedule 1 —

- (i) after entry ML1 (Small arms and machine guns) there shall be inserted the following new entry:

| | | |
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| “PL5018 | Smooth-bore weapons other than those specially designed for military use except air weapons (other than those declared by the Firearms (Dangerous Air Weapons) Rules 1969(10) to be specially dangerous).”; | C |
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- (ii) in entry PL5006 (Apparatus and devices specially designed for dealing with improvised explosive devices), after the words “dealing with improvised explosive devices” there shall be inserted the words “and specially designed ODMA software therefor”;

- (e) in Group 3G of Part II of Schedule 1, in entry IL1565 (Electronic computers, related equipment, equipment or systems containing electronic computers, and technology therefor) —

- (i) in paragraph (a) of exception (i) to head (h), for the words “or they” in the second line there shall be substituted the words “and they”;

- (ii) for exception (vii) to head (h) there shall be substituted the following:

(7) O.J. No. L368, 18.12.89, p.1.
 (8) O.J. No. L368, 18.12.89, p.16.
 (9) O.J. No. L368, 18.12.89, p.21.
 (10) S.I. 1969/47

“(vii) personal computers (and related equipment therefor) meeting all the following conditions:

- (a) they are not specified in head (h)(1) or (2) above;
- (b) they are exported as complete systems;
- (c) they are not stand-alone graphic workstations which —
 - (1) are designed or modified for the generation transformation and display of 2 or 3 dimensional vectors;
 - (2) are not designed for and limited to graphic arts (including the printing or publishing thereof);
 - (3) have a total processing data rate of the central processing unit exceeding 28 million bit per second;
 - (4) have a central processing unit with a word-length exceeding 16 bit
(NOTE:
Microprocessor based systems with 16 bit word-length and not more than a 32 bit architecture shall be regarded as 16 bit systems for the purposes of sub-paragraph (4)); and
 - (5) exceed a block-move data rate of 800,000 pixels/sec or a maximum bit transfer rate of the channel for direct access to the main storage (Direct Memory Access or DMA channel) of 11 million bit per second;
- (d) they are not ruggedised above the level required for a normal commercial or office environment;
- (e) they do not include a central processing unit implemented with more than two microprocessors or microcomputer microcircuits, other than:
 - (1) any dedicated microprocessor or microcomputer microcircuit used solely for display, keyboard or input/output control, or
 - (2) any bit-slice microprocessor microcircuit;
- (f) they do not include a microprocessor or microcomputer microcircuit with a principal operand (data) word-length of more than 16 bit or a bus architecture with more than 32 bit;
- (g) they have a total connected capacity of main storage not exceeding 39 million bit (usually referred to as 4 MByte with up to 64kByte of cache allowed);
- (h) they have displays or monitors not exceeding either:
 - (1) 1024 resolvable elements along any axis and 64 shades of grey or colour; or
 - (2) 320 resolvable elements along any axis and 256 shades of grey or colour;

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- (i) they do not include analogue-to-digital or digital-to-analogue converter microcircuits specified in entry IL1568 in this Group 3G, other than for direct-driven video monitors for normal commercial television;
- (j) they have a central processing unit with a total processing data rate not exceeding 69 million bit per second;
- (k) where control unit-disk drive combinations are included, they have all the following characteristics —
 - (1) a total transfer rate not exceeding 10.3 million bit per second,
 - (2) a total connected net capacity not exceeding 1320 million bit (140 MBytes),
 - (3) a total access rate not exceeding 80 accesses per second, with a maximum of 40 accesses per second for any one drive; and
- (l) they do not include any equipment specified in sub-head (a)(2) of entry IL1519 in Group 3F (Telecommunication transmission equipment and measuring and test equipment), or in entry IL1567 in this Group 3G (Stored-programme-controlled communication switching equipment or systems and technology therefor);”.

29th January 1990

Eric Beston
An Assistant Secretary,
Department of Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Export of Goods (Control) Order 1989 to take account of Council Regulation (EEC) No. 3722/89(11), Council Regulation (EEC) No. 3723/89(12), Commission Decision No. 3724/89/ECSC(13), Commission Regulation (EEC) No.3725/89(14), Commission Regulation (EEC) No. 3726/89(15)and Commission Decision No. 3727/89/ECSC(16), which relate to the restriction and monitoring of exports of certain steel products to the United States of America.

In addition, export control is:

- (a) lifted on copper waste and scrap, and on certain ash and residues containing copper; on aluminium, lead and zinc waste and scrap; and on ferrous waste and scrap;
- (b) extended in scope on smooth-bore weapons; and, in the case of apparatus and devices specially designed for dealing with improvised explosive devices, extended to include certain kinds of related software;
- (c) redefined and clarified on certain digital computers (and in particular on certain kinds of personal computers), and related equipment.

(11) O.J. No. L368, 18.12.89, p.1.
(12) O.J. No. L368, 18.12.89, p.16.
(13) O.J. No. L368, 18.12.89, p.21.
(14) O.J. No. L368, 18.12.89, p.37.
(15) O.J. No. L368, 18.12.89, p.60.
(16) O.J. No. L368, 18.12.89, p.74.