
STATUTORY INSTRUMENTS

1993 No. 1020

CUSTOMS AND EXCISE

The Export of Goods (Control) (Amendment) Order 1993

Made - - - - *2nd April 1993*

Coming into force - - *3rd April 1993*

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 1993 and shall come into force on 3rd April 1993.

2. The Export of Goods (Control) Order 1992⁽³⁾ shall be amended as follows:—

(a) in article 3(e)(ii):

(i) after “(an act of Tynwald)” there shall be inserted “as amended by the Firearms Act 1968 (an act of Tynwald)⁽⁴⁾ and the Air Guns and Shot Guns, etc. Act 1968 (an act of Tynwald)⁽⁵⁾”;

(ii) for footnote (e) there shall be substituted the following:

“(e) [S.I.1981/155 \(N.I.2\)](#); relevant amending instruments are [S.I. 1989/1338 \(N.I.10\)](#) and [S.I. 1992/1723 \(N.I.4\)](#)”; and

(iii) in footnote (f) the words “as amended” shall be deleted;

(b) in the Part III of the Contents to Schedule 1, for the words “Dual Use Industrial Goods and Technology” there shall be substituted the words “Goods and Technology Not Specified in Groups 1 or 2”;

(c) in Group 1 in Part III of Schedule 1—

(i) in entry PL5021 there shall be added at the end:

“except:

Lead or lead alloy pellet ammunition specially designed for air rifles”;

(ii) in entry ML3 there shall be added at the end:

(1) [1939 c. 69](#).
(2) See [S.I. 1970/1537](#).
(3) [S.I. 1992/3092](#), amended by [S.I. 1992/3305](#).
(4) Acts of Tynwald 1968, p.464.
(5) Acts of Tynwald 1968, p.509.

“except:

Lead or lead alloy pellet ammunition specially designed for air rifles”;

(iii) in entry ML4—

(aa) the words “bombs, torpedoes, rockets” to “specially designed components therefor” inclusive shall be deleted;

(bb) for sub-head a. there shall be substituted the following:—

“(a) Bombs, torpedoes, grenades, smoke canisters, rockets, mines, missiles, depth-charges, demolition-charges, –devices and –kits, military pyrotechnic flares, cartridges and simulators, and specially designed components therefor; except:

Rockets or smoke canisters designed for the purpose of entertainment, distress signalling, or safety of life”;

(cc) in sub-head b. there shall be added at the end:

“and specially designed components therefor”;

(iv) in entry ML24, in sub-head a. for “equipment or material” there shall be substituted “**goods**”;

(ii) in entry PL5027 after “PL5017” there shall be inserted “PL5029,”;

(d) in Group 3 in Part III of Schedule 1—

(i) in the title the words “DUAL USE INDUSTRIAL” shall be deleted;

(ii) in the definition of “personalised smart card” for “ISO/IEC 781” there shall be substituted “ISO/IEC 7816”;

(iii) in entry 3A001 sub-head e.1, for “sub-head c.1” in the *Note* there shall be substituted “Sub-head e.1”;

(iv) in entry 5A001 sub-head c, for the words “**Stored programme controlled** switching equipment” to “characteristics, functions or features” inclusive there shall be substituted the following:

“**Stored programme controlled** switching equipment and related signalling systems, having any of the following characteristics, functions or features, and specially designed components and accessories therefor”;

(v) in entry 5B001:

(aa) in sub-head a., after “accessories therefor” there shall be added “, specially designed for”;

(bb) for sub-head b.2., there shall be substituted the following:

“**2.** Data communication protocol analysers, testers and simulators specially designed for functions specified in entry 5A001”;

(vi) in entry 5A002, for **Note a.** there shall be substituted the following—

“(a) **Personalised smart cards** using **cryptography** restricted for use only in equipment or systems as follows:

1. Excluded from control under sub-heads c.1. to c.6. of entry 5A002;

2. Excluded from control under heads b. to e. inclusive of this Note; or

(a) Cellular radio equipment or systems specially designed for cryptographic operation, provided any message traffic encryption capability specified in entry 5A002 contained in such equipment or systems is irreversibly disabled;

- (b) Access control equipment, such as automatic teller machines, self-service statement printers or point of sale terminals, which protects password or personal identification numbers (PIN) or similar data to prevent unauthorised access to facilities but does not allow for encryption of files or text, except as directly related to the password or PIN protection;
 - (c) Data authentication equipment which calculates a Message Authentication Code (MAC) or similar result to ensure no alteration of text has taken place, or to authenticate users, but does not allow for encryption of data, text or other media other than that needed for the authentication;
 - (d) Cryptographic equipment specially designed, developed or modified for use in machines for banking or money transactions, such as automatic teller machines, self-service statement printers, point of sale terminals, or equipment for the encryption of interbanking transactions, and intended for use only in such applications;”;
- (vii) in entry 6A003 sub-head b.3, for “of this entry” there shall be substituted “of entry 6A002”;
- (viii) in entries 6E001, 6E002, 7E001 and 7E002 the words
“The export of goods specified in this entry is only prohibited to any destination in any country listed in Schedule 2” shall be deleted;
- (ix) in Category 9, for the heading there shall be substituted the following:
“Aircraft, Space Vehicles, Propulsion Systems and Related Equipment”;
- (x) for entry 9A990 there shall be substituted the following:
“(9A990) The export of goods specified in this entry is only prohibited to any destination in Libya, Iran, Iraq, Syria or South Africa.
Aircraft having a maximum all up weight of 680 kg or more, and aero-engines, and equipment or components designed therefor, other than those specified elsewhere in this Schedule.”;
- (xi) in entry 9A991, after “parachutes” there shall be inserted “other than those specified in entry ML10 of Group I of Part III of this Schedule.”;
- (xii) entry 9A992 shall be deleted;
- (xiii) after entry 9A991 there shall be inserted the following entry—
“(9A993) The export of goods specified in this entry is only prohibited to any destination in Libya.
Equipment for simulating or modelling any function of any **aircraft** or of any part of any **aircraft**, specially designed components and specially designed accessories therefor.”;
- (xiv) after entry 9D103 there shall be inserted the following entry—
“(9D993) The export of goods specified in this entry is only prohibited to any destination in Libya.
Software specially designed or modified for the **use of goods** specified in entry 9A993.”;
- (xv) entry 9E992 shall be deleted; and
- (xvi) after entry 9E991 there shall be inserted the following entry—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(9E993) The export of goods specified in this entry is only prohibited to any destination in Libya.

Technology required for the development, production or use of goods specified in entry 9A993.”.

2nd April 1993

M. Coolican
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 1992

- (i) by relaxing export control in relation to certain personalised smart cards;
- (ii) by clarifying the scope of the prohibition on the export of aircraft and components to Libya, Iran, Iraq, Syria and South Africa;
- (iii) by prohibiting the export of flight simulators to Libya;
- (iv) by extending the control on technology relating to the development or use of certain goods to technology relating to nuclear power generating or propulsion equipment, including nuclear reactors, specially designed for military use; to certain sensors, lasers and related equipment; and to certain navigation and avionics equipment; and
- (v) by correcting minor errors in the definition of personalised smart cards and in entries 3A001 and 6A003 and clarifying the scope of entries 5A001 and 5B001.