
STATUTORY INSTRUMENTS

2008 No. 3231

The Export Control Order 2008

PART 2

EXPORT AND TRANSFER CONTROLS

Transfers from outside the customs territory for WMD purposes

11.—(1) This article applies where a United Kingdom person (“the transferor”)—

- (a) has been informed by a competent authority that software or technology is or may be intended, in its entirety or in part, for WMD purposes; or
- (b) is aware that software or technology is intended, in its entirety or in part, for WMD purposes.

(2) Subject to articles 18 and 26, the transferor shall not transfer the software or technology in question from a place outside the customs territory to—

- (a) a destination outside the customs territory; or
- (b) a destination within the customs territory if the transferor—
 - (i) knows that the final destination of the software or technology is outside the customs territory; and
 - (ii) knows that no processing or working is to be performed on the software or technology within the customs territory,

or, if the destination is the United Kingdom, knows that the software or technology may be or is intended to be used outside the customs territory or has been informed by the Secretary of State that it may be or is intended to be so used.