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## STATUTORY INSTRUMENTS

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# 2003 No. 2764

## Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003

### PART V

#### LICENCES AND PERMITS

##### Record keeping and inspection

14.—(1) Any person acting under the authority of any general licence granted under this Order shall keep detailed registers or records.

(2) The registers or records shall contain sufficient detail as may be necessary to allow the following information, where appropriate, to be identified—

- (a) a description of the goods that have been exported or the software or technology that has been transferred;
- (b) the date of the exportation or transfer;
- (c) the quantity of the goods;
- (d) the name and address of the person referred to in paragraph (1);
- (e) the name and address of any consignee of the goods;
- (f) in so far as it is known to the person referred to in paragraph (1) the name and address of the end-user of the goods, software or technology; and
- (g) any further information required to be kept by the competent authority who has authorised the exportation or transfer.

(3) Any person established in the United Kingdom who exports any goods or transfers any software or technology from the European Community under the authority of a Community Licence, and any such person who exports any goods or transfers any software or technology from the United Kingdom under the authority of the Community General Export Authorisation shall keep detailed registers or records to allow the information specified in paragraph (2) to be identified.

(4) The register or records referred to in paragraphs (1) and (3) shall be kept for at least 3 years from the end of the calendar year in which the authorised act took place and the person referred to in paragraphs (1) and (3) shall permit any such registers or records to be inspected and copied by any person authorised by the Secretary of State or the Commissioners.

(5) Any person who has been granted a Community Licence under this Order in relation to the exportation or transfer from the European Community of any goods, software or technology shall, upon request in writing by the Secretary of State or the Commissioners, produce any registers or records he may hold that relate to the application for that Community Licence and any such register or records shall be kept for at least 3 years from the end of the calendar year in which the authorised act took place and he shall permit any such registers or records to be inspected or copied by any person authorised by the Secretary of State or the Commissioners.

(6) Any person authorised by the Secretary of State or the Commissioners shall have the right, on producing, if required to do so, a duly authenticated document showing his authority, at any reasonable hour to enter—

- (a) for the purpose of paragraph (4), the premises of the address which has most recently been notified to the Secretary of State under article 13; or
- (b) for the purpose of paragraph (5), any premises the address of which has been notified for this purpose by the licence holder to a competent authority when applying for a licence.

(7) Where the registers or records required to be maintained under this article are kept in a form which is not legible the exporter or transferor shall at the request of the person authorised by the Secretary of State or the Commissioners, reproduce such registers or records in a legible form.

(8) The documents and the records to be kept in accordance with Article 21(5) of the Regulation shall be the registers or records referred to in paragraph (2)(a) to (g). Paragraphs (6) and (7) and the provision in paragraph (4) relating to inspection and copying shall apply for the production of such documents and records to the competent authorities in accordance with Article 21(5) of the Regulation as they apply in respect of the inspection and copying of records referred to in paragraph (4) or (as the case may be) in respect of entry into premises for the purpose of paragraph (4).

(9) Any person who exports or transfers to another Member State any goods, software or technology listed in Part 2 of category 5 in Annex I to the Regulation but not listed in Annex IV to the Regulation shall maintain registers or records in relation to each such exportation or transfer that contain such of the information specified in Part II of Schedule 4 to this Order as he can reasonably be expected to obtain and such other of that information as comes into his possession. These registers or records shall be kept for at least 3 years from the end of the calendar year in which the authorised act took place, and he shall permit any such registers or records to be inspected and copied by any person authorised by the Secretary of State or the Commissioners. Paragraphs (6) and (7) and the provision in paragraph (4) relating to inspection and copying, shall apply to the production of such documents or records as they apply in respect of registers or records referred to in paragraph (4) or (as the case may be) in respect of entry into premises for the purpose of paragraph (4).

**Changes to legislation:**

There are currently no known outstanding effects for the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003, Section 14.