

The Export Control (Amendment) (No.3) Order 2017

Transposition Note

This Transposition Note, in tabular form, explains how the Export Control (Amendment) (No. 3) Order 2017 (“the Third 2007 Order”) transposes (EU) Directive 2017/433 (“the 2017 Directive”) amending Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 (“the ICT Directive”).

The 2017 Directive substitutes a new Annex to the ICT Directive and, to the extent that the new Annex differs from its predecessor, provisions in the Third 2007 Order amend Schedule 2 to the Export Control Order 2008 (“the 2008 Order”) to reflect the differences.

Provision in Annex to the 2017/ICT Directive	Objectives	Cross-reference in the Third 2007 Order	Implementation in the 2008 Order
Definition of “laser”	Definition amended	Article 2(2)(b)	New definition of “laser” at Definitions section in Schedule 2
Entry ML1d. and Note	Existing text amended/clarified	Article 2(3)	Substitution of new entry ML1.d. and note in Schedule 2
Entry ML8a.40.	New entry	Article 2(4)	New explosive entry inserted as ML8.a.40. in Schedule 2
Entry ML8a., Note and Technical Note	New note and technical note clarifying that entry includes “explosive co-crystals” etc	Article 2(4)	New note and technical note inserted after new entry ML8.a.40. in Schedule 2
Entry ML8c.1.	“Aircraft” identified as a defined term	Article 2(5)	“Aircraft” identified as a defined term at entry ML8.c.1. in Schedule 2
Entry ML8c.5.	“Mixtures” identified as a defined term	Article 2(6)	Substitution of new entry ML8.c.5. in Schedule 2
ML8c.5. Note 2	“Mixtures”, “propellant”, “propellants” and “pyrotechnic” identified as defined terms.	Article 2(6)	Substitution of new entry ML8.c.5. and notes in Schedule 2
ML10c.	“Aircraft” identified as a defined term	Article 2(7)	Substitution of new entry ML10.c. in Schedule 2

ML10e.2.	"Aircraft" identified as a defined term	Article 2(8)	Substitution of new entry ML10.e.2. in Schedule 2
ML10f.	"Aircraft" identified as a defined term	Article 2(9)	Substitution of new entry ML10.f. in Schedule 2
ML17o.	"Laser" identified as a defined term	Article 2(11)	Substitution of new entry ML17.o. in Schedule 2