
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Export Control Order 2008 ([S.I. 2008/3231](#)) (“the 2008 Order”) and Council Regulation ([EC](#)) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (Recast) (EUR 2009/428) (“the retained Dual-Use Regulation”).

Regulation 2 amends Schedule 4 to the 2008 Order, moving Haiti from Part 4 of Schedule 4 into Part 3 of Schedule 4. This places Haiti into the list of countries which are subject to transit control for military goods.

Regulation 3 amends Annex I to the retained Dual-Use Regulation, which lists dual-use goods, software and technology subject to export controls. These changes reflect amendments to the Wassenaar Arrangement dual-use list as well as changes to the control lists administered by the Australia Group. Regulation 3 brings the retained Dual-Use Regulation up to date with these international arrangements and implements the United Kingdom’s international commitments in relation to these international arrangements. The new text also addresses minor drafting errors and domestic drafting preferences.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen. An Explanatory Memorandum is available from the Export Control Joint Unit, Old Admiralty Building, London SW1A 2DY. The Explanatory Memorandum has also been published alongside the instrument on the www.legislation.gov.uk website, and a copy has been placed in the Libraries of both Houses of Parliament.