
Technical note: Exporting controlled goods

Exporting controlled goods if there's no Brexit deal

What does it cover?

- It covers the regulation of export authorisation for all controlled goods exported from the UK
- It establishes which existing regulations will, in the event of the UK leaving the EU with no deal, require extension to include export to the EU nations
- It pertains only to businesses trading in goods defined under existing regulations as being 'controlled', as listed in the [Consolidated List of Strategic Military and Dual-Use Items that Require Export Authorisation](#).
- It covers four classifications of controlled goods;
 - military items
 - firearms
 - dual-use items
 - goods usable for torture or capital punishment

What will happen?

- For exporting manufacturers of controlled goods, only two of the above listed classifications are likely to be relevant:

Military items

- All items currently scheduled on the *UK Military List* already require a UK Government-awarded export licence in order to be exported to any destination, including EU nations.
- For businesses already engaged in exporting goods scheduled on the *UK Military List*, both to EU nations and other destinations, there will be no change to the existing regulations.
- There are no proposals to review or revise the *UK Military List* as part of the Brexit process. However, this list is subject to regular review by the **Export Control Joint Unit**.

Dual-use items

- Dual-use items are goods that have the potential to be used for both civil and military applications. **The UK Dual Use List** schedules those items that fall within the scope of UK export licencing regulations.

- With the exception of a small number of sensitive items, all goods currently scheduled on the *UK Dual Use List* do not currently require an export licence for movement between EU nations.
- In the event that the UK leaves the EU with no deal, the overall framework of controls for dual-use exports will not change. However, the movement of dual-use items from the UK to the EU would require an export licence in the same way as is currently mandated for non-EU destinations.
- In addition, an extant export licences issued in the UK would no longer be valid for exporting dual-use items from EU member states. A new licence, issued by an EU member state, would be required, and;
- An extant export licences issued by an EU member state would no longer be valid for exporting dual-use items from the UK. A new licence, issued by the UK, would be required
- There are no proposals to review or revise the *UK Dual Use List* as part of the Brexit process. However, this list is subject to regular review by the Export Control Joint Unit.

What will businesses have to do?

- Exporters will remain responsible for informing the **Export Control Joint Unit** of any goods for export that they believe may require an export licence. In the event that the UK leaves the EU with no deal, this will extent to the export of dual-use goods to EU destinations.
- The Department for International Trade's online [OGEL and Goods Checker Tool](#) is designed to support companies in identifying if their products require export authorisation.
- Businesses are reminded that the UK strategic export control lists include both finished items or systems, raw materials and components. They also cover the transfer of information that could be used for military or dual use purposes.

The contents of this EEF Brexit Technical note is not intended to serve as legal or other professional or taxation advice or a substitute for such advice related to individual situations or as a legal, professional or tax opinion concerning such situations, nor should it be considered a substitute for taking such advice.

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