

Directive 2009/43/EC of the European Parliament and of the Council of
6 May 2009 simplifying terms and conditions of transfers of defence-
related products within the Community (Text with EEA relevance)

CHAPTER III

INFORMATION, CERTIFICATION AND EXPORT AFTER TRANSFER

Article 8

Information to be provided by suppliers

1 Member States shall ensure that suppliers of defence-related products inform recipients of the terms and conditions of the transfer licence, including limitations, relating to the end-use or export of the defence-related products.

2 Member States shall ensure that suppliers inform, within a reasonable time, the competent authorities of the Member State from whose territory they wish to transfer defence-related products of their intention to use a general transfer licence for the first time. Member States may determine the additional information that may be required regarding defence-related products transferred under a general transfer licence.

3 Member States shall ensure and regularly check that suppliers keep detailed and complete records of their transfers, in accordance with the legislation in force in that Member State, and shall determine the reporting requirements attached to the use of a general, global or individual transfer licence. Such records shall include commercial documents containing the following information:

- a a description of the defence-related product and its reference under the Annex;
- b the quantity and value of the defence-related product;
- c the dates of transfer;
- d the name and address of the supplier and of the recipient;
- e where known, the end-use and end-user of the defence-related product; and
- f proof that the information on an export limitation attached to a transfer licence has been transmitted to the recipient of the defence-related products.

4 Member States shall ensure that suppliers keep the records referred to in paragraph 3 for a period at least equal to that provided for in relevant national legislation relating to record-keeping requirements for economic operators in force in that Member State, and in any event for not less than three years from the end of the calendar year in which the transfer took place. They shall be provided at the request of the competent authorities of the Member State from whose territory the supplier transferred the defence-related products.