

*These notes refer to the Export Control Act 2002
(c.28) which received Royal Assent on 24 July 2002*

EXPORT CONTROL ACT 2002

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 9: Guidance about the exercise of functions under control orders

49. *Subsection (2)* makes clear that the Secretary of State may issue guidance about any matter relating to the exercise of any licensing powers to which this section applies.
50. *Subsections (3) and (4)* make it a requirement for the Secretary of State to give guidance about the general principles to be followed when exercising licensing powers to which this section applies and for this guidance (as a minimum) to address issues relating to sustainable development and issues relating to any possible consequence of the activity being controlled that are of a kind mentioned in the Table in paragraph 3 of the Schedule.
51. *Subsection (8)* makes clear that the consolidated EU and National Arms Export Licensing Criteria announced to Parliament on 26th October 2000 are to be treated as guidance issued under section (8) which fulfils the duty imposed by subsection (3) to give guidance about general principles to be followed when exercising licensing powers.