



Export Control Act 2002

2002 CHAPTER 28

2 Transfer Controls

- (1) The Secretary of State may by order make provision for or in connection with the imposition of transfer controls in relation to technology of any description.
- (2) For this purpose “transfer controls”, in relation to any technology, means the prohibition or regulation of its transfer—
 - (a) by a person or from a place within the United Kingdom to a person or place outside the United Kingdom;
 - (b) by a person or from a place outside the United Kingdom to a person who, or a place which, is also outside the United Kingdom (but only where the transfer is by, or within the control of, a United Kingdom person);
 - (c) by a person or from a place within the United Kingdom to a person who, or a place which, is also within the United Kingdom (but only where there is reason to believe that the technology may be used outside the United Kingdom); or
 - (d) by a person or from a place outside the United Kingdom to a person or place within the United Kingdom (but only where the transfer is by, or within the control of, a United Kingdom person and there is reason to believe that the technology may be used outside the United Kingdom).
- (3) Technology may be described in the order wholly or partly by reference to the uses to which it may be put.
- (4) The power to impose transfer controls is subject to section 5.
- (5) The Secretary of State may by order make provision in connection with any controls that may be imposed by a directly applicable Community provision on the transfer of technology.
- (6) In this Act—

“transfer”, in relation to any technology, means a transfer by any means (or combination of means), including oral communication and the transfer of goods on which the technology is recorded or from which it can be derived, other than the exportation of such goods; and

Status: This is the original version (as it was originally enacted).

“technology” means information (including information comprised in software) that is capable of use in connection with—

- (a) the development, production or use of any goods or software;
- (b) the development of, or the carrying out of, an industrial or commercial activity or an activity of any other kind whatsoever.