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STATUTORY INSTRUMENTS

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**2008 No. 3231**

**The Export Control Order 2008**

**PART 2**

**EXPORT AND TRANSFER CONTROLS**

**Software and technology exceptions**

**18.**—(1) Nothing in article 3 [<sup>F1</sup>or 4] shall be taken to prohibit the transfer of technology—

- (a) that is in the public domain;
- (b) that is the minimum technology required for—
  - (i) the installation, operation, maintenance or repair of goods or software that are not military goods or software or UK controlled dual-use goods or software; or
  - (ii) a patent application; or
- (c) in the course of basic scientific research.

(2) Nothing in article 10, [<sup>F2</sup>11, 12 or 12A] shall be taken to prohibit the transfer of software or technology in the public domain.

(3) In this article, “basic scientific research” means experimental or theoretical work undertaken principally to acquire new knowledge of the fundamental principles of phenomena or observable facts and not primarily directed towards a specific practical aim or objective.

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**Textual Amendments**

- F1** Words in art. 18(1) substituted (27.1.2010) by [The Export Control \(Amendment\) Order 2010 \(S.I. 2010/121\)](#), arts. 1(1), **2(6)**
- F2** Words in art. 18(2) substituted (19.5.2022) by [The Export Control \(Amendment\) Order 2022 \(S.I. 2022/491\)](#), arts. 1(1), **2(4)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Export Control Order 2008, Section 18.