

SCHEDULES

SCHEDULE 1

Regulation 7(3)

Rules for interpretation of regulation 7(2)

Application of Schedule

1.—(1) The rules set out in the following paragraphs of this Schedule apply for the purpose of interpreting regulation 7(2).

(2) They also apply for the purpose of interpreting this Schedule.

Joint interests

2. If two or more persons each hold a share or right jointly, each of them is treated as holding that share or right.

Joint arrangements

3.—(1) If shares or rights held by a person and shares or rights held by another person are the subject of a joint arrangement between those persons, each of them is treated as holding the combined shares or rights of both of them.

(2) A “joint arrangement” is an arrangement between the holders of shares or rights that they will exercise all or substantially all the rights conferred by their respective shares or rights jointly in a way that is pre-determined by the arrangement.

(3) “Arrangement” has the meaning given by paragraph 12.

Calculating shareholdings

4.—(1) In relation to a person who has a share capital, a reference to holding “more than 50% of the shares” in that person is to holding shares comprised in the issued share capital of that person of a nominal value exceeding (in aggregate) 50% of that share capital.

(2) In relation to a person who does not have a share capital—

(a) a reference to holding shares in that person is to holding a right or rights to share in the capital or, as the case may be, profits of that person;

(b) a reference to holding “more than 50% of the shares” in that person is to holding a right or rights to share in more than 50% of the capital or, as the case may be, profits of that person.

Voting rights

5.—(1) A reference to the voting rights in a person is to the rights conferred on shareholders in respect of their shares (or, in the case of a person not having a share capital, on members) to vote at general meetings of the person on all or substantially all matters.

(2) In relation to a person that does not have general meetings at which matters are decided by the exercise of voting rights—

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- (a) a reference to holding voting rights in the person is to be read as a reference to holding rights in relation to the person that are equivalent to those of a person entitled to exercise voting rights in a company;
- (b) a reference to holding “more than 50% of the voting rights” in the person is to be read as a reference to holding the right under the constitution of the person to block changes to the overall policy of the person or to the terms of its constitution.

6. In applying regulation 7(2) and this Schedule, the voting rights in a person are to be reduced by any rights held by the person itself.

Rights to appoint or remove members of the board

7. A reference to the right to appoint or remove a majority of the board of directors of a person is to the right to appoint or remove directors holding a majority of the voting rights at meetings of the board on all or substantially all matters.

8. A reference to a board of directors, in the case of a person who does not have such a board, is to be read as a reference to the equivalent management body of that person.

Shares or rights held “indirectly”

9.—(1) A person holds a share “indirectly” if the person has a majority stake in another person and that other person—

- (a) holds the share in question, or
- (b) is part of a chain of persons—
 - (i) each of whom (other than the last) has a majority stake in the person immediately below it in the chain, and
 - (ii) the last of whom holds the share.

(2) A person holds a right “indirectly” if the person has a majority stake in another person and that other person—

- (a) holds that right, or
- (b) is part of a chain of persons—
 - (i) each of whom (other than the last) has a majority stake in the person immediately below it in the chain, and
 - (ii) the last of whom holds that right.

(3) For these purposes, a person (“A”) has a “majority stake” in another person (“B”) if—

- (a) A holds a majority of the voting rights in B,
- (b) A is a member of B and has the right to appoint or remove a majority of the board of directors of B,
- (c) A is a member of B and controls alone, pursuant to an agreement with other shareholders or members, a majority of the voting rights in B, or
- (d) A has the right to exercise, or actually exercises, dominant influence or control over B.

(4) In the application of this paragraph to the right to appoint or remove a majority of the board of directors, a person (“A”) is to be treated as having the right to appoint a director if—

- (a) any person’s appointment as director follows necessarily from that person’s appointment as director of A, or
- (b) the directorship is held by A itself.

Shares held by nominees

10. A share held by a person as nominee for another is to be treated as held by the other (and not by the nominee).

Rights treated as held by person who controls their exercise

11.—(1) Where a person controls a right, the right is to be treated as held by that person (and not by the person who in fact holds the right, unless that person also controls it).

(2) A person “controls” a right if, by virtue of any arrangement between that person and others, the right is exercisable only—

- (a) by that person,
- (b) in accordance with that person’s directions or instructions, or
- (c) with that person’s consent or concurrence.

12. “Arrangement” includes—

- (a) any scheme, agreement or understanding, whether or not it is legally enforceable, and
- (b) any convention, custom or practice of any kind.

Rights exercisable only in certain circumstances etc

13.—(1) Rights that are exercisable only in certain circumstances are to be taken into account only—

- (a) when the circumstances have arisen, and for so long as they continue to obtain, or
- (b) when the circumstances are within the control of the person having the rights.

(2) But rights that are exercisable by an administrator or by creditors while a person is subject to relevant insolvency proceedings are not to be taken into account while the person is subject to those proceedings.

(3) “Relevant insolvency proceedings” means—

- (a) administration within the meaning of the Insolvency Act 1986⁽¹⁾
- (b) administration within the meaning of the Insolvency (Northern Ireland) Order 1989⁽²⁾, or
- (c) proceedings under the insolvency law of another country during which a person’s assets and affairs are subject to the control or supervision of a third party or creditor.

(4) Rights that are normally exercisable but are temporarily incapable of exercise are to continue to be taken into account.

Rights attached to shares held by way of security

14. Rights attached to shares held by way of security provided by a person are to be treated for the purposes of this Schedule as held by that person—

- (a) where apart from the right to exercise them for the purpose of preserving the value of the security, or of realising it, the rights are exercisable only in accordance with that person’s instructions, and
- (b) where the shares are held in connection with the granting of loans as part of normal business activities and apart from the right to exercise them for the purpose of preserving

(1) 1986 c.45.

(2) S.I. 1989/2405 (N.I. 19).

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the value of the security, or of realising it, the rights are exercisable only in that person's interests.

SCHEDULE 2

Regulation 25(1)

Definitions of goods subject to certain trade prohibitions

PART 1

General

Definitions

1.—(1) For the purposes of this Schedule—

- (a) a thing “falls within” a commodity code if it is, or would be, classified under that commodity code, as set out in the Goods Classification Table;
- (b) a thing “falls within” a chapter if it is, or would be, classified under that chapter, as set out in the Goods Classification Table;
- (c) where a commodity code or chapter is preceded by “ex”, the goods specified in this Schedule constitute only a part of the scope of the commodity code or chapter and must fall within both the description given to that code or chapter in this Schedule and the scope of the code or chapter in the Goods Classification Table.

(2) For the purposes of determining whether or not a thing is, or would be, “classified” in accordance with sub-paragraph (1), the rules of interpretation contained in the following have effect—

- (a) Part Two (Goods Classification Table Rules of Interpretation) of the Tariff of the United Kingdom;
- (b) notes to a section or chapter of the Goods Classification Table.

(3) For the purposes of this paragraph—

“commodity code” includes a code denoting a heading or sub-heading;

“the Goods Classification Table” means the table so named in Annex I in Part Three of the Tariff of the United Kingdom;

“the Tariff of the United Kingdom” means the document containing the legal classification and import rate for products being imported into the United Kingdom, entitled “The Tariff of the United Kingdom”, as revised or re-issued from time to time⁽³⁾.

(3) The Tariff of the United Kingdom, Version 1.0 is available electronically from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/785939/Tariff_Reference_Document_13_March_2019.pdf. A hard copy is available for inspection free of charge at the offices of HMRC at 100 Parliament Street, London, SW1A 2BQ.

PART 2

Goods subject to certain trade prohibitions

Aviation fuel and aviation fuel additives

2. For the purposes of regulation 25(1), “aviation fuel and aviation fuel additives” means any thing which falls within the following commodity codes—

- (a) 2710 12 70;
- (b) 2710 19 29;
- (c) 2710 19 21;
- (d) 2710 20 90;
- (e) 3811 21;
- (f) 3811 29;
- (g) 3811 90.

Crude oil and petroleum products

3. For the purposes of regulation 25(1), “crude oil” means any thing which falls within the commodity code 2709.

4. For the purposes of regulation 25(1), “petroleum products” means any thing which falls within the following commodity codes—

- (a) 2710;
- (b) 2712;
- (c) 2713;
- (d) 2714;
- (e) 2715 00 00.

Goods relating to electricity production

5. For the purposes of regulation 25(1), “goods relating to electricity production” means any thing which falls within the following commodity codes—

- (a) 8406 81;
- (b) 8411 82;
- (c) ex 8501, provided that it is an electric motor or generator of an output exceeding 3MW or 5,000kVA,

provided that the thing is to be used for the construction or installation in Syria of a new power plant for electricity production.

Gold, precious metals or diamonds

6. For the purposes of regulation 25(1), “gold, precious metals or diamonds” means any thing falling which falls within the following commodity codes—

- (a) 7102;
- (b) 7106;
- (c) 7018;

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- (d) 7109;
- (e) 7110;
- (f) 7111;
- (g) 7112.

Luxury goods

7. For the purposes of regulation 25(1), “luxury goods” means—
- (a) pure-bred horses, meaning any thing which falls within commodity code 0101 21 00;
 - (b) caviar and caviar substitutes, meaning any thing which falls within the following commodity codes, provided that the sales price for caviar substitutes exceeds £15 per 100 grams—
 - (i) ex 1604 31 00;
 - (ii) ex 1604 32;
 - (c) truffles, meaning any thing which falls within commodity code 2003 90 10;
 - (d) wines (including sparkling wines), spirits and spirituous beverages, meaning any thing which falls within the following commodity codes, provided that the sales price exceeds £40 per litre—
 - (i) ex 2204 21 to 2204 29;
 - (ii) ex 2205;
 - (iii) ex 2208;
 - (e) cigars or cigarillos, meaning any thing which falls within commodity code ex 2402 10 00, provided that the sales price per item exceeds £10;
 - (f) perfumes and toilet waters, meaning anything which falls within the following commodity codes, provided that the sales price exceeds £60 per 50ml—
 - (i) ex 3303 00 10;
 - (ii) ex 3303 00 90;
 - (g) cosmetics, including beauty and make-up products, meaning anything which falls within the following commodity codes provided that the sales price per item exceeds £60—
 - (i) ex 3304;
 - (ii) ex 3307;
 - (iii) ex 3401;
 - (h) leather, saddlery, travel goods, handbags or similar articles, meaning anything which falls within the following commodity codes provided that the sales price per item exceeds £175—
 - (i) ex 4201;
 - (ii) ex 4202;
 - (iii) ex 4205 00 90;
 - (i) garments, clothing accessories or shoes, meaning anything which falls within the following commodity codes or chapters, provided that the sales price per item exceeds a sales price of £525—
 - (i) ex 4203;
 - (ii) ex 4303;
 - (iii) ex chapter 61;

- (iv) ex chapter 62;
- (v) ex 6401 to ex 6405;
- (vi) ex 6504 00 00;
- (vii) ex 6505;
- (viii) ex 6506 99;
- (ix) ex 6601 91 00;
- (x) ex 6601 99;
- (xi) ex 6602;
- (j) tableware of porcelain, china, stoneware, earthenware or of fine pottery, meaning anything which falls within the following commodity codes, provided that the sales price per item exceeds £450—
 - (i) ex 6911 10;
 - (ii) ex 6912 00 23;
 - (iii) ex 6912 00 25;
- (k) pearls, precious and semi-precious stones, articles of pearls, jewellery, gold or silversmith articles, meaning anything which falls within the following commodity codes—
 - (i) 7101 to 7103;
 - (ii) 7104 20 00;
 - (iii) 7104 90 00;
 - (iv) 7105 to 7111;
 - (v) 7113 to 7116;
- (l) coins or bank notes, meaning anything which falls within the following commodity codes, provided that such items are not legal tender—
 - (i) ex 4907;
 - (ii) 7118 10;
 - (iii) ex 7118 90;
- (m) any item of cutlery which falls within the following commodity codes, provided such items are comprised of precious metal, or plated or clad with precious metal—
 - (i) ex 8211;
 - (ii) ex 8214;
 - (iii) ex 8215;
 - (iv) ex 9307;
- (n) lead crystal glassware, meaning anything which falls within the following commodity codes, provided that the sales price per item exceeds £175—
 - (i) ex 7009 91;
 - (ii) ex 7009 92 00;
 - (iii) ex 7010;
 - (iv) ex 7013 22;
 - (v) ex 7013 33;
 - (vi) ex 7013 41;
 - (vii) ex 7013 91;

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- (viii) ex 7018 10;
- (ix) ex 7018 90;
- (x) ex 7020 00 80;
- (xi) ex 9405 10 50;
- (xii) ex 9405 20 50;
- (xiii) ex 9405 50;
- (xiv) ex 9405 91;
- (o) luxury vehicles and their accessories, meaning anything which falls within the following commodity codes, provided that, in the case of a new vehicle, the sales price of the vehicle exceeds £22,000, in the case of a used vehicle, the sales price exceeds £13,000 and in the case of a vehicle-accessory, the sales price of the vehicle to which the vehicle-accessory relates exceeds either £22,000 (new vehicles) or £13,000 (used vehicles)—
 - (i) ex 8603;
 - (ii) ex 8605 00 00;
 - (iii) ex 8702 and ex 8703;
 - (iv) ex 8711 and ex 8712;
 - (v) ex 8716 10;
 - (vi) ex 8716 40 00;
 - (vii) ex 8716 80 00;
 - (viii) ex 8716 90;
 - (ix) ex 8801 00;
 - (x) ex 8802 11 00 and ex 8802 12 00;
 - (xi) ex 8802 20 00 to ex 8802 40 00;
 - (xii) ex 8805 10;
 - (xiii) ex 8901 10;
 - (xiv) ex 8903;
- (p) clocks or wristwatches and their parts, meaning anything which falls within the following commodity codes, provided that in the case of a clock or wristwatch the sales price per item exceeds £450 or, in the case of a part for any such item, the clock or wristwatch to which the part relates exceeds a sales price of £450—
 - (i) ex 9101 to ex 9105;
 - (ii) ex 9108 to ex 9114;
- (q) any item for skiing, golf or water sports, meaning anything which falls within the following commodity codes, provided that the sales price per item exceeds £450—
 - (i) ex 4015 19 00 and ex 4015 90 00;
 - (ii) ex 6112 20 00 to ex 6114;
 - (iii) ex 6210 20 to ex 6211 20;
 - (iv) ex 6211 32 90;
 - (v) ex 6211 33 90;
 - (vi) ex 6211 39;
 - (vii) ex 6211 42 90;

- (viii) ex 6211 43 90;
- (ix) ex 6211 49 00;
- (x) ex 6402 12;
- (xi) ex 6403 12 00;
- (xii) ex 6404 11 00;
- (xiii) ex 6404 19 90;
- (xiv) ex 9004 90;
- (xv) ex 9020;
- (xvi) ex 9506 11 to ex 9506 19;
- (xvii) ex 9506 21 00;
- (xviii) ex 9506 29 00;
- (xix) ex 9506 31 00 to ex 9506 39;
- (xx) ex 9507;
- (r) any item for billiards, other games operated by coins, bank notes, bank cards, tokens or by any other means of payment, meaning anything which falls within the following commodity codes or chapter, provided that the sales price exceeds £450 per item—
 - (i) ex 9504 20 to ex 9504 40;
 - (ii) ex 9504 90 80;
- (s) works of art, collectors' pieces and antiques, meaning anything which falls within chapter 97.

SCHEDULE 3

Regulation 25(1)

Goods and technology relating to chemical and biological weapons

PART 1

Certain dual-use goods and dual-use technology

Dual-use goods

1.—(1) Any thing which is specified in or by the following Dual-Use Codes—

- (a) 1A004;
- (b) 1C350;
- (c) 1C351;
- (d) 1C353;
- (e) 1C354;
- (f) 1C450;
- (g) 2B350;
- (h) 2B351;
- (i) 2B352;

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- (j) 9A012;
- (k) 9A350.

Software

- 2. Any software which is specified in or by the following Dual-Use Codes—
 - (a) 1D003;
 - (b) 2D351;
 - (c) 9D001, provided that it is specially designed or modified for the development of any goods or technology specified in or by Dual-Use Code 9A012 (paragraph 1(j));
 - (d) 9D002, provided that it is specially designed or modified for the production of any thing specified in or by Dual-Use Code 9A012 (paragraph 1(j)).

Technology

- 3.—(1) Any technology which is specified in or by the following Dual-Use Codes—
 - (a) 1E001, provided that it is for the development or production of any thing specified in or by any of the following Dual-Use Codes—
 - (i) 1A004 (paragraph 1(a));
 - (ii) 1C350 to 1C354 (paragraph 1(b) to (e));
 - (iii) 1C450 (paragraph 1(f));
 - (b) 2E001, provided that it is for the development of any thing specified in or by any of the following Dual-Use Codes—
 - (i) 2B350 (paragraph 1(g));
 - (ii) 2B351 (paragraph 1(h));
 - (iii) 2B352 (paragraph 1(i));
 - (iv) 2D351 (paragraph 2(a));
 - (c) 2E002, provided that it is for the production of any thing specified in or by any of the following Dual-Use Codes—
 - (i) 2B350 (paragraph 1(g));
 - (ii) 2B351 (paragraph 1(h));
 - (iii) 2B352 (paragraph 1(i));
 - (d) 2E301;
 - (e) 9E001, provided that it is for the development of any thing specified in or by either of the following Dual-Use Codes—
 - (i) 9A012 (paragraph 1(j));
 - (ii) 9A350 (paragraph 1(k));
 - (f) 9E002, provided that it is for the production of any thing specified in or by Dual-Use Code 9A350;
 - (g) 9E101(b), provided that it is for the production of UAVs with a range exceeding 300km specified in or by Dual-Use Code 9A012;
 - (h) 9E102, provided that it is for the production of UAVs with a range exceeding 300km specified in or by Dual-Use Code 9A012.
- (2) For the purposes of sub-paragraph (2), “UAV” means unmanned aerial vehicle systems.

PART 2

Weapons-related chemicals and technology

Chemicals

4. Any of the following chemicals at 95% concentration or greater—
 - (a) Aluminium chloride (CAS Code 7446-70-0);
 - (b) Arsenic (CAS Code 7440-38-2);
 - (c) Arsenic trioxide (CAS Code 1327-53-3);
 - (d) Bis(2-chloroethyl)ethylamine hydrochloride (CAS Code 3590-07-6);
 - (e) Bis(2-chloroethyl)methylamine hydrochloride (CAS Code 55-86-7);
 - (f) Ethylene dichloride (CAS Code 107-06-2);
 - (g) Picric acid (CAS Code 88-89-1);
 - (h) Nitromethane (CAS Code 75-52-5);
 - (i) Tris(2-chloroethyl)amine hydrochloride (CAS Code 817-09-4).

Software and technology

5. Any technology or software required for the development, production or use of any of the chemicals listed in paragraph 4.

PART 3

Materials, other chemicals and related-technology

Chemicals

6. Any of the following chemicals at 95% concentration or greater—
 - (a) Benzil (CAS Code 134-81-6);
 - (b) Butyrylcholinesterase;
 - (c) 2-bromochloroethane (CAS Code 107-04-0);
 - (d) Dichloromethane (CAS Code 75-09-3);
 - (e) Diethylamine (CAS Code 109-89-7);
 - (f) Diethylenetriamine (CAS Code 111-40-0);
 - (g) Diethyl ether (CAS Code 60-29-7);
 - (h) Dimethylaniline (CAS Code 121-69-7);
 - (i) Dimethyl ether (CAS Code 115-10-6);
 - (j) Dimethylaminoethanol (CAS Code 108-01-0);
 - (k) Ethyl bromide (CAS Code 74-96-4);
 - (l) Ethyl chloride (CAS Code 75-00-3);
 - (m) Ethylamine (CAS Code 75-04-7);
 - (n) Hexamine (CAS Code 100-97-0);
 - (o) Isocyanatomethane (CAS Code 624-83-9);

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- (p) Isopropanol (CAS Code 67-63-0);
 - (q) Isopropyl bromide (CAS Code 75-26-3);
 - (r) Isopropyl ether (CAS Code 108-20-3);
 - (s) 2-methoxyethanol (CAS Code 109-86-4);
 - (t) Methylamine (CAS Code 74-89-5);
 - (u) Methyl bromide (CAS Code 74-83-9);
 - (v) Monoisopropylamine (CAS Code 75-31-0);
 - (w) Obidoxime chloride (CAS Code 114-90-9);
 - (x) Potassium bromide (CAS Code 7758-02-3);
 - (y) Pyridine (CAS Code 110-86-1);
 - (z) Pyridostigmine bromide (CAS Code 101-26-8);
 - (aa) Quinaldine (CAS Code 91-63-4);
 - (bb) Sodium bromide (CAS Code 7647-15-6);
 - (cc) Sodium metal (CAS Code 7440-23-5);
 - (dd) Tributylamine (CAS Code 102-82-9);
 - (ee) Tributylphosphite (CAS Code 102-85-2);
 - (ff) Triethylamine (CAS Code 121-44-8);
 - (gg) Trimethylamine (CAS Code 75-50-3).
7. Any of the following chemicals at 90% concentration or greater—
- (a) Acetone (CAS Code 67-64-1);
 - (b) Acetylene (CAS Code 74-86-2);
 - (c) Ammonia (CAS Code 7664-41-7);
 - (d) Antimony (CAS Code 7440-36-0);
 - (e) Benzaldehyde (CAS Code 100-52-7);
 - (f) Benzoin (CAS Code 119-53-9);
 - (g) 1-Butanol (CAS Code 71-36-3);
 - (h) 2-Butanol (CAS Code 78-92-2);
 - (i) Iso-Butanol (CAS Code 78-83-1);
 - (j) Tert-Butanol (CAS Code 75-65-0);
 - (k) Calcium carbide (CAS Code 75-20-7);
 - (l) Carbon monoxide (CAS Code 630-08-0);
 - (m) Chlorine (CAS Code 7782-50-5);
 - (n) Cyclohexanol (CAS Code 108-93-0);
 - (o) Dicyclohexylamine (CAS Code 101-83-7);
 - (p) Ethanol (CAS Code 64-17-5);
 - (q) Ethylene (CAS Code 74-85-1);
 - (r) Ethylene oxide (CAS Code 75-21-8);
 - (s) Fluoroapatite (CAS Code 1306-05-4);
 - (t) Hydrogen chloride (CAS Code 7647-01-0);
 - (u) Hydrogen sulfide (CAS Code 7783-06-4);

- (v) Mandelic acid (CAS Code 90-64-2);
- (w) Methanol (CAS Code 67-56-1);
- (x) Methyl chloride (CAS Code 74-87-3);
- (y) Methyl iodide (CAS Code 74-88-4);
- (z) Methyl mercaptan (CAS Code 74-93-1);
- (aa) Monoethyleneglycol (CAS Code 107-21-1);
- (bb) Oxalyl chloride (CAS Code 79-37-8);
- (cc) Potassium sulphide (CAS Code 1312-73-8);
- (dd) Potassium thiocyanate (CAS Code 333-20-0);
- (ee) Sodium hypochlorite (CAS Code 7681-52-9);
- (ff) Sulphur (CAS Code 7704-34-9);
- (gg) Sulphur dioxide (CAS Code 7446-09-5);
- (hh) Sulphur trioxide (CAS Code 7446-11-9);
- (ii) Thiophosphoryl chloride (CAS Code 3982-91-0);
- (jj) Tri-isobutyl phosphite (CAS Code 1606-96-8);
- (kk) White/yellow phosphorus (CAS Code 12185-10-3).

Materials

8. Floor-mounted fume hoods (walk-in-style) with a minimum nominal width of 2.5 metres.
9. Full face-mask air-purifying and air-supplying respirators, other than any thing which is specified in or by any of the following Dual-Use Codes—
 - (a) 1A004;
 - (b) 2B352(f)(1).
10. Class II biological safety cabinets or isolators with similar performance standards.
11. Batch centrifuges with a rotor capacity of 4 litres or greater, usable with biological materials.
- 12.—(1) Fermenters capable of cultivation of pathogenic micro-organisms or viruses or for toxic production, without the propagation of aerosols, having a capacity of 5 litres or more but less than 20 litres.
 - (2) For the purpose of sub-paragraph (1)—
 - “fermenters” include bioreactors, chemostats and continuous-flow systems;
 - “micro-organisms” has the same meaning that it has in the Dual-Use Regulation.
- 13.—(1) Conventional or turbulent air-flow clean-air rooms and self-contained fan-HEPA or ULPA filter units that may be used for containment facilities at P3 or P4 (BSL 3, BSL 4, L3, L4) containment levels.
 - (2) For the purpose of sub-paragraph (1), “P3 or P4 (BL3, BL4, L3, L4) containment levels” are the levels specified in the World Health Organisation Laboratory Biosafety manual(4).
- 14.—(1) Any of the following chemical manufacturing facilities, equipment and components, other than any thing which is specified in or by Dual-Use Code 2B350—

(4) Third edition, Geneva 2004.

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- (a) reaction vessels or reactors, with or without agitators, with total internal (geometric) volume greater than 0.1m^3 (100 litres) and less than 20m^3 (20,000 litres), provided that all surfaces that come in direct contact with the fluid being processed or contained is made from the relevant composition;
- (b) agitators for use in reaction vessels or reactors specified in paragraph (a), provided that all surfaces that come in direct contact with the fluid being processed or contained is made from the relevant composition;
- (c) storage tanks, containers or receivers with a total internal (geometric) volume greater than 0.1m^3 (100 litres) where all surfaces that come in direct contact with the chemical being processed or contained is made from the relevant composition;
- (d) heat exchangers or condensers with a heat transfer surface area greater than 0.05m^2 , and less than 30m^2 and tubes, plates, coils or blocks (cores) designed for such heat exchangers or condensers, provided that all surfaces that come in direct contact with the fluid being processed is made from the relevant composition;
- (e) distillation or absorption columns of internal diameter greater than 0.1 metre, provided that all surfaces that come in direct contact with the fluid being processed is made from the relevant composition;
- (f) liquid distributors, vapour distributors or liquid collectors designed for distillation or absorption columns mentioned in sub-paragraph (e);
- (g) valves with a nominal size greater than 10mm and casings (valve bodies) designed for such valves, provided that all surfaces that come in direct contact with the fluid being processed or contained is made from the relevant composition;
- (h) multiple-seal and seal-less pumps, with manufacturer's specified maximum flow-rate greater than 0.6m^3 per hour, in which all surfaces that come in direct contact with the chemical being processed is made from any of the following materials—
 - (i) ceramics;
 - (ii) ferrosilicon;
 - (iii) stainless steel with either—
 - (aa) more than or equal to 10.5% chromium and less than or equal to 1.2% carbon, or
 - (bb) 20% nickel and 19% chromium or more by weight;
- (i) casings (pump bodies), preformed casing liners, impellers, rotors or jet pump nozzles designed for pumps mentioned in paragraph (h)(i), (ii) and (iii)(bb);
- (j) vacuum pumps with a manufacturer's specified maximum flow-rate greater than 1m^3 per hour (under standard temperature (0 degree Celsius) and pressure (101.3 kPa) conditions), and casings (pump bodies) and preformed casing-liners, impellers, rotors and jet pump nozzles designed for such pumps, in which all surfaces that come into direct contact with the chemical being processed is made from any of the following materials—
 - (i) alloys with more than 25% nickel and 20% chromium by weight;
 - (ii) ceramics;
 - (iii) ferrosilicon;
 - (iv) fluoropolymers (polymeric or elastomeric materials with more than 35% fluorine by weight);
 - (v) glass (including vitrified or enamelled coatings or glass lining);
 - (vi) graphite or carbon graphite;

- (vii) nickel or alloys with more than 40% nickel by weight;
 - (viii) stainless steel with 20% nickel and 19% chromium or more by weight;
 - (ix) tantalum or tantalum alloys;
 - (x) titanium or titanium alloys;
 - (xi) zirconium or zirconium alloys;
 - (xii) niobium (columbium) or niobium alloys.
- (2) For the purpose of sub-paragraph (1)—
- “alloys”, when not accompanied by a specific elemental concentration, is understood as identifying those alloys where the identified metal is present in a higher percentage by weight than any other element;
- “carbon graphite” means a composition consisting of amorphous carbon and graphite, in which the graphite content is 8% or more by weight;
- “ferrosilicon” means silicon iron alloys with 8% silicon or more by weight;
- “nominal size” means the smaller of the inlet and outlet diameters;
- “the relevant composition” means stainless steel with either—
- (i) more than or equal to 10.5% chromium and less than or equal to 1.2% carbon, or
 - (ii) 20% nickel and 19% chromium or more by weight;
- (3) For the purposes of sub-paragraph (1), the materials used for diaphragms, gaskets, seals and other implementation of sealing functions—
- (a) in the case of paragraph (d), do not determine the control status of the heat exchanger,
 - (b) in the case of paragraph (g), do not determine the control status of the valve, and
 - (c) in the case of paragraph (j), do not determine the control status of the pump.

15.—(1) Subject to sub-paragraph (2), laboratory equipment for the analysis or detection of chemical substances, including any part or accessory for such equipment.

(2) Sub-paragraph (1) does not apply to any equipment specially designed for medical use or any part or accessory for such equipment.

(3) In this paragraph, the “analysis” of chemical substances can be using both destructive and non-destructive means.

Software and technology

16. Any technology or software which is required to develop, produce or use any item mentioned in this Part.

PART 4

Rules for interpretation

Principal element

17.—(1) Any item (“A”) not listed in any of paragraphs 2 to 12 is included in this Schedule if—

- (a) an item listed in any of paragraphs 2 to 12 is a principal element of A, and
- (b) that principal element can be removed and used separately.

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(2) Whether an item is a principal element of any other item shall be determined having regard to quantity, value, technological know-how and any other relevant factors.

Definition of Dual-Use Codes

18. For the purposes of this Schedule—

- (a) a thing is specified in or by a Dual-Use Code if it would be specified in or by that code in accordance with the Dual-Use Regulation;
- (b) a “Dual Use Code” means an alphanumeric code as it used in Annex I of the Dual-Use Regulation.

Interpretation

19.—(1) In this Schedule, a reference to any item includes that item whether it is new or used.

(2) The references in this Schedule to a “CAS Code” followed by a numerical sequence are references to CAS Registry Numbers assigned to chemicals by the Chemical Abstracts Service, a division of the American Chemical Society.

(3) For the purposes of this Schedule, the following terms have the meaning given to them in the Dual-Use Regulation—

- “development”;
- “production”;
- “software”;
- “technology”;
- “use”.

SCHEDULE 4

Regulation 25(1)

Interception and monitoring goods and interception and monitoring technology

Interception and monitoring equipment

1. Any goods which can perform any of the following functions (whether individually or as part of a system)—

- (a) deep packet inspection;
- (b) network interception, including associated systems management and data retention functions;
- (c) radio frequency monitoring, including associated processing or examination;
- (d) network and satellite jamming;
- (e) remote infection;
- (f) speaker recognition, including associated processing functions;
- (g) IMSI, MSISDN, IMEI and TMSI interception and monitoring;
- (h) tactical SMS, GSM, GPS, GPRS, UMTS, CDMA, and PSTN interception and monitoring;
- (i) DHCP, SMTP and GTP information interception and monitoring;
- (j) pattern recognition and pattern profiling;
- (k) remote forensics;

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- (l) semantic processing;
- (m) WEP and WPA code breaking;
- (n) interception of VoIP (including proprietary and standard protocols).

2. Any software which can perform any of the functions described in paragraph 1(a) to (n) (whether individually or as part of a system).

Other software and other technology

3. Any software or other technology which is specially designed to develop, produce or use any goods or software described in paragraph 1 or 2.

Interpretation

4. For the purposes of this Schedule, the following terms have the meaning given to them in the Dual-Use Regulation—

- “development”;
- “production”;
- “software”;
- “technology”;
- “use”.

Acronyms and abbreviations used in this Schedule

5. The acronyms and abbreviations used in this Schedule have the following meaning—

<i>ABBREVIATION ACRONYM</i>	<i>MEANING</i>	<i>ADDITIONAL INFORMATION</i>
IMSI	International Mobile Subscriber Identity	This is a unique identification code for each mobile telephony device, integrated in the SIM card and which allows identification of that SIM, via GSM and UMTS networks.
MSISDN	Mobile Subscriber Integrated Services Digital Network Number	This is a number that uniquely identifies a subscription in a GSM or a UMTS mobile network. It is the telephone number to the SIM card in a mobile phone and therefore identifies a mobile subscriber as well as the IMSI.
IMEI	International Mobile Equipment Identity	This is a number, usually unique, to identify GSM, WCDMA and IDEN mobile phones as well as some satellite phones. It is usually found printed inside the battery compartment of the phone.

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<i>ABBREVIATION ACRONYM</i>	<i>/</i>	<i>MEANING</i>	<i>ADDITIONAL INFORMATION</i>
TMSI		Temporary Mobile Subscriber Identity	
SMS		Short Message System	
GSM		Global System for Mobile Communications	
GPS		Global Positioning System	
GPRS		General Package Radio Service	
UMTS		Universal Mobile Telecommunications System	
CDMA		Code Division Multiple Access	
PSTN		Public Switch Telephone Networks	
DHCP		Dynamic Host Configuration Protocol	
SMTP		Simple Mail Transfer Protocol	
GTP		GPRS Tunnelling Protocol	
WEP		Wired Equivalent Privacy	
WPA		WiFi Protected Access	
VoIP		Voice over Internet Protocol	

SCHEDULE 5

Regulation 25(1)

Internal repression goods and internal repression technology

Firearms and related goods

1. Firearms, ammunition and related accessories, as follows—
 - (a) firearms;
 - (b) ammunition specially designed for firearms;
 - (c) weapon-sights.
2. Simulators for training persons to use firearms.
3. Bombs and grenades.

Vehicles

- 4.—(1) Subject to sub-paragraph (2) and (3), the following types of vehicles—
 - (a) vehicles equipped with a water cannon, specially designed or modified for the purpose of riot control;
 - (b) vehicles specially designed or modified to be electrified to repel boarders;

- (c) vehicles specially designed or modified to remove barricades, including construction equipment with ballistic protection;
 - (d) vehicles specially designed for the transport or transfer of prisoners or detainees;
 - (e) vehicles specially designed to deploy mobile barriers;
- (2) Components for the vehicles specified in sub-paragraphs (1)(a) to (e) that have been designed for the purposes of riot control.
- (3) Vehicles that might otherwise fall within sub-paragraph (1)(a) to (e) are not internal repression goods if they are specially designed for the purposes of fire-fighting.
- (4) For the purposes of this paragraph, “vehicle” includes a trailer.

Explosive substances and related goods

5.—(1) Equipment and devices specially designed to initiate explosions by electrical or non-electrical means, including—

- (a) firing sets;
- (b) detonators;
- (c) igniters;
- (d) boosters;
- (e) detonating cord.

(2) Components that have been specially designed for any thing mentioned in sub-paragraph (1).

(3) Sub-paragraphs (1) and (2) do not apply to any thing that has been specially designed for a specific commercial use.

(4) For the purpose of sub-paragraph (3), a “specific commercial use” means the actuation or operation by explosive means of other equipment or devices the function of which is not the creation of explosions, including—

- (a) car air-bag inflaters;
- (b) electric-surge arresters;
- (c) fire sprinkler actuators.

6. Linear cutting explosive charges.

7. The following explosives and related substances—

- (a) amatol;
- (b) nitrocellulose (containing more than 12.5 % nitrogen);
- (c) nitroglycol;
- (d) pentaerythritol tetranitrate (PETN);
- (e) picryl chloride;
- (f) 2,4,6-trinitrotoluene (TNT).

Other goods

8.—(1) Subject to sub-paragraph (2), the following equipment designed for the protection of person—

- (a) body armour providing ballistic or stabbing protection or both;
- (b) helmets providing ballistic or fragmentation protection, or both, including anti-riot helmets;

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- (c) anti-riot shields and ballistic shields.
- (2) Sub-paragraph (1) does not apply to—
 - (a) any thing specially designed to protect persons for the following purposes—
 - (i) participation in competitive sport;
 - (ii) ensuring safety at work;
 - (b) any thing mentioned in sub-paragraph (1)(a) or (b) when accompanying a person for that person's own protection.
- 9. Night vision equipment.
- 10. Thermal imaging equipment.
- 11. Image intensifier tubes.
- 12. Razor barbed wire.
- 13. The following types of knives—
 - (a) knives that are designed for use by military personnel (military knives);
 - (b) knives that are designed for use as a weapon for inflicting injury (combat knives);
 - (c) bayonets with blade lengths in excess of 10 cm.

Production equipment

14. Any equipment which is specially designed or modified for the development or for one or more of the production phases of any item mentioned in paragraphs 1 to 13 of this Schedule.

Software and technology

15. Any software which is specially designed for the simulators mentioned in paragraph 2.

16. Any technology which is specially designed to develop, produce or use any item mentioned in paragraphs 1 to 13 of this Schedule.

Interpretation

17.—(1) In this Schedule, “firearm” means any portable barrelled weapon that expels, is designed to expel or may be converted to expel, a shot, bullet or projectile by the action of a combustible propellant.

(2) For the purposes of this Schedule, the following terms have the meaning given to them in the Dual-Use Regulation—

- “development”;
- “production”;
- “software”;
- “technology”;
- “use”.

SCHEDULE 6

Regulation 61(2)

Treasury licences: purposes

PART 1

Interpretation

Interpretation

1. In this Schedule—

“designated person” has the same meaning as it has in Chapter 1 of Part 3 (Finance);

“frozen funds or economic resources” means funds or economic resources frozen by virtue of regulation 11, and any reference to a person’s frozen funds or economic resources is to funds or economic resources frozen as a consequence of the designation of that person for the purpose of that regulation.

PART 2

Financial sanctions in Chapter 1 of Part 3(asset-freeze etc)

Basic needs

2.—(1) To enable the basic needs of a designated person, or (in the case of an individual) any dependent family member of such a person, to be met.

(2) In the case of an individual in sub-paragraph (1), “basic needs” includes—

- (a) medical needs;
- (b) needs for—
 - (i) food;
 - (ii) payment of insurance premiums;
 - (iii) payment of tax;
 - (iv) rent or mortgage payments;
 - (v) utility payments.

(3) In the case of a person other than an individual in sub-paragraph (1), “basic needs” includes needs for—

- (a) payment of insurance premiums;
- (b) payment of reasonable fees for the provision of property management services;
- (c) payment of remuneration, allowances or pensions of employees;
- (d) payment of tax;
- (e) rent or mortgage payments;
- (f) utility payments.

(4) In sub-paragraph (1)—

“dependent” means financially dependent;

“family member” includes—

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- (a) the wife or husband of the designated person;
- (b) the civil partner of the designated person;
- (c) any parent or other ascendant of the designated person;
- (d) any child or other descendant of the designated person;
- (e) any person who is a brother or sister of the designated person, or a child or other descendant of such a person.

Legal services

3. To enable the payment of—
- (a) reasonable professional fees for the provision of legal services, or
 - (b) reasonable expenses associated with the provision of legal services.

Maintenance of frozen funds and economic resources

4. To enable the payment of—
- (a) reasonable fees, or
 - (b) reasonable service charges,

arising from the routine holding or maintenance of frozen funds or economic resources.

Extraordinary expenses

5. To enable an extraordinary expense of a designated person to be met.

Pre-existing judicial decisions etc

6. To enable, by the use of a designated person’s frozen funds or economic resources, the implementation or satisfaction (in whole or in part) of a judicial, administrative or arbitral decision or lien, provided that—

- (a) the funds or economic resources so used are the subject of the decision or lien,
- (b) the decision or lien—
 - (i) was made or established before the date on which the person became a designated person, and
 - (ii) is enforceable in the United Kingdom, and
- (c) the use of the frozen funds or economic resources does not directly or indirectly benefit any other designated person.

Humanitarian assistance activities etc

7.—(1) To enable anything to be done in connection with the performance of any humanitarian assistance activity.

(2) To enable, by the use of a designated person’s frozen funds or economic resources, a payment to be made to the United Nations in connection with the performance of any activity whose purpose is consistent with the Syrian Humanitarian Response Plan.

(3) For the purposes of this paragraph, “the Syrian Humanitarian Response Plan” means the strategy for a humanitarian response in Syria developed by the United Nations Office for the Coordination of Humanitarian Affairs in accordance with the UN General Assembly Resolution

number 46/182, on strengthening of the coordination of humanitarian emergency assistance of the United Nations⁽⁵⁾.

Diplomatic missions etc

8. To enable anything to be done in order that the functions of a diplomatic mission or consular post in Syria, or of an international organisation enjoying immunities in accordance with international law, may be carried out.

Human safety or environmental protection

9. To enable anything to be done to protect the safety of individuals or for the protection of the environment.

Education, professional training or academic research

10.—(1) To enable, by the transfer of funds or economic resources by or through a designated credit or financial institution, the provision of financial support to an individual who is a national of Syria to pursue an education, professional training or academic research in the United Kingdom, provided that the use of the funds or economic resources does not directly or indirectly benefit a designated person.

(2) For the purposes of paragraph (1), “designated credit or financial institution” means a person, other than an individual, who is designated under regulation 5 for the purposes of regulations 11 to 15 and who—

- (a) in the case of an undertaking, by way of business—
 - (i) operates a currency exchange office,
 - (ii) transmits money (or any representation of monetary value) by any means, or
 - (iii) cashes cheques that are made payable to customers, and
- (b) in the case of any other person, would satisfy the threshold conditions for permission under Part 4A of the Financial Services and Markets Act 2000 if it had its registered office (or if it does not have one, its head office) in the United Kingdom.

Essential energy needs

11. To enable anything to be done in order to meet the essential energy needs of the civilian population in Syria.

Evacuations

12. To enable anything to be done in order to evacuate an individual from Syria.

Chemical Weapons Convention

13.—(1) To enable a payment to be made by the Central Bank of Syria or by a designated person who is owned or controlled directly or indirectly (within the meaning of regulation 7) by the Syrian regime to the Organization for the Prohibition of Chemical Weapons for the purposes of compliance with article 4 of the Chemical Weapons Convention.

(5) A copy of which is available from the Humanitarian Response website of the United Nations Office for the Coordination of Humanitarian Affairs: <https://www.humanitarianresponse.info/en/operations/whole-of-syria>.

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(2) For the purposes of this paragraph, “the Organization for the Prohibition of Chemical Weapons” means the Organization established pursuant to article 8 of the Chemical Weapons Convention.

Extraordinary situation

14. To enable anything to be done to deal with an extraordinary situation.

Prior obligations

15. To enable, by the use of a designated person’s frozen funds or economic resources, the satisfaction of an obligation of that person (whether arising under a contract, other agreement or otherwise), provided that—

- (a) the obligation arose before the date on which the person became a designated person, and
- (b) no payments are made to another designated person, whether directly or indirectly.

Central and Commercial Banks of Syria

16.—(1) To enable, by the transfer of frozen funds or economic resources by or through the Central Bank of Syria and to a UK credit or financial institution, the financing of trade that is not subject to a prohibition under Part 5 (Trade).

(2) For the purposes of this paragraph, “UK credit or financial institution” has the same meaning as it has in regulation 23.

(3) Subject to sub-paragraph (7), to enable, by the transfer of frozen funds or economic resources by or through the Central Bank of Syria, the satisfaction of an obligation arising under a trade contract, provided that the funds or economic resources were frozen after the date on which the Central Bank of Syria became a designated person.

(4) Subject to sub-paragraph (7), to enable, by the transfer of funds or economic resources to or through the Central Bank of Syria, the satisfaction of an obligation arising under a trade contract.

(5) Subject to sub-paragraph (7), to enable, by the transfer of frozen funds or economic resources from outside of the United Kingdom, by or through the Commercial Bank of Syria, the satisfaction of an obligation arising under a trade contract, provided that—

- (a) the trade contract is for the purpose of meeting the essential needs of the civilian population in Syria, and
- (b) the funds or economic resources were frozen after the date on which the Commercial Bank of Syria became a designated person.

(6) Subject to sub-paragraph (7), to enable, by the transfer of funds or economic resources from outside of the United Kingdom, to or through the Commercial Bank of Syria, the satisfaction of an obligation arising under a trade contract, provided that the trade contract is for the purpose of meeting the essential needs of the civilian population in Syria.

(7) Sub-paragraphs (3) to (6) do not apply where—

- (a) the transfer of the funds or economic resources directly or indirectly benefits a designated person, or
- (b) the transfer is prohibited under Part 5 (Trade).

(8) In sub-paragraph (5) and (6), “essential needs” includes medical needs and needs for food, shelter, sanitation and hygiene.

PART 3

Financial sanctions in Chapter 2 of Part 3 (investment, financial services and financial markets)

Assisting the civilian population in Syria

17.—(1) Subject to sub-paragraph (2), to enable anything to be done, for the purpose of providing assistance to the civilian population in Syria, by any activity that would otherwise be prohibited under by any of the following—

- (a) regulation 16(1)(a) (opening bank accounts with a Syrian credit or financial institution);
- (b) regulation 16(3) (opening representative offices or establishing branches or subsidiaries of a UK credit or financial institution in Syria);
- (c) regulation 21 (investments in relation to crude oil and electricity production).

(2) Sub-paragraph (1) does not apply where—

- (a) the act directly or indirectly benefits a designated person, or
- (b) the act is prohibited under Part 5 (Trade).