



MONTSERRAT

## CHAPTER 10.14

# EXPORTATION OF ARMS AND WARLIKE STORES ACT and Subsidiary Legislation

### Revised Edition

showing the law as at 1 January 2013

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

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## CHAPTER 10.14

### EXPORTATION OF ARMS AND WARLIKE STORES ACT

#### ARRANGEMENT OF SECTIONS

##### SECTION

1. Short title
2. Prohibition of exportation generally of warlike stores
3. Prohibition of exportation of warlike stores in particular cases
4. Penalty

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## CHAPTER 10.14

### EXPORTATION OF ARMS AND WARLIKE STORES ACT

*(Acts 3 of 1901, 17 of 1922, 9 of 2011 and S.R.O. 15/1956)*

#### **Commencement**

*[23 March 1901]*

#### **Short title**

1. This Act may be cited as the Exportation of Arms and Warlike Stores Act.

#### **Prohibition of exportation generally of warlike stores**

2. The Governor may by proclamation or by Order in Cabinet prohibit or restrict in any way he may specify in such proclamation or Order in Cabinet the exportation from Montserrat either generally or to any country or place or the carrying coastwise of the following goods, that is to say, arms, ammunition and gunpowder and military and naval stores and any articles which the Governor shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions or any sort of victual which may be used as food for man.  
*(Amended by Act 9 of 2011)*

### **Prohibition of exportation of warlike stores in particular cases**

3. The Governor may by proclamation or Order in Cabinet prohibit the exportation from Montserrat of all or any of the following articles, namely, arms, ammunition, military and naval stores and any article which the Governor shall judge capable of being converted into or made useful in increasing the quantity of arms, ammunition or military or naval stores to any country or place therein named whenever the Governor shall judge such prohibition to be expedient in order to prevent such arms, ammunition, military or naval stores being used against Her Majesty's subjects or forces or against any forces engaged or which may be engaged in military or naval operations in co-operation with Her Majesty's forces. (*Amended by Act 9 of 2011*)

### **Penalty**

4. If any goods, the exportation or carrying coastwise whereof, as the case may be, shall have been prohibited under the authority of this Act, shall be exported or brought to any quay, wharf, pier or other place to be shipped for exportation from Montserrat or carried coastwise, as the case may be, or be waterborne to be so exported or carried, they shall be forfeited and the exporter or his agent or the shipper of any such goods shall be liable to a penalty of \$480 and such penalty may be recovered on complaint in a summary manner before the Magistrate in accordance with the provisions of the Magistrate's Court Act.

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**EXPORTATION OF ARMS AND WARLIKE STORES (RESTRICTION) ORDER**

— SECTION 3

(*S.R.O.s 33/1999 and 38/2000 and Act 9 of 2011*)

**Commencement**

[14 June 1999]

**Short title**

1. This Order may be cited as the Exportation of Arms and Warlike Stores (Restriction) Order.

**Interpretation**

2. In this Order—

“**basic scientific research**” means experimental or theoretical work undertaken principally to acquire new knowledge of the fundamental principles of phenomena or observable facts, not primarily directed towards a specific practical aim or objective;

“**development**” is related to all stages prior to serial production, such as design, design research, design analyses, design concepts, assembly and testing of prototypes, pilot production schemes, design data, process of transforming design data into a product, configuration design, integration design, layouts;

“**production**” means all production stages, such as product engineering, manufacture, integration, assembly (mounting), inspection, testing, quality assurance;

“**required**” as applied to “**technology**”, refers to only that portion of “**technology**” which is peculiarly responsible for achieving or exceeding the controlled performance levels, characteristics of functions. Such “**required**” “**technology**” may be shared by different “**goods**”;

“**technology**” means specific information necessary for the development, production or use of a product. The information may take forms such as blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, manuals and instructions written or recorded on other media or devices such as disk, tape, read-only memories;

“**use**” means operation, installation (which includes on-site installation), maintenance, checking, repair, overhaul and refurbishing.

**Prohibitions on exportation**

3. (1) Subject to the provisions of this Order, the goods described in Schedule 1 are hereby prohibited from exportation to the Countries specified in Schedule 2.

(2) Subject to the provisions of this Order, the export of technology specified in Schedule 1 is prohibited if it is capable of being required for the development, production or use of goods specified in that Schedule, whether or not the technology being exported in the particular case is intended to be applied in respect of such goods.

(3) The prohibition in paragraph (2) does not apply—

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- (a) to technology which is the minimum necessary for the installation, operation, maintenance and repair of goods not specified in Schedule 1;
- (b) to technology in the public domain;
- (c) to basic scientific research;
- (d) to the minimum necessary information for patent applications.

### Exceptions

4. Nothing in this Order shall be taken to prohibit the exportation of—

- (a) any aircraft which is being exported after temporary importation into Montserrat provided that, there has been no change of ownership or registration since such importation;
- (b) any aircraft on a scheduled journey;
- (c) any aircraft immediately preceding importation of which was on a scheduled journey and which is intended for further scheduled journeys;
- (d) any vessel registered or constructed outside Montserrat which is being exported (except to a destination in Iran, Iraq or Libya or to a country specified in Schedule 2 hereto) after temporary importation into Montserrat;
- (e) any vessel which is departing from Montserrat on trials;
- (f) any vessel proceeding on a normal commercial journey;
- (g) any firearm authorised to be possessed or, as the case maybe, purchased or acquired pursuant to a valid certificate granted under the Firearms Act or any other law:

Provided that, the firearm forms part of the personal effects of the holder of the certificate.

- (h) permitted ships' stores or the shipment of any goods as ships' stores with the permission of the Comptroller of Customs at the port of departure for use on board the ship:

Provided that, all conditions attached to the said permission are complied with.

- (i) any goods under the authority of a licence in writing granted by the Governor acting on the advice of Cabinet, provided that, all conditions attaching to the licence are complied with.

*(Amended by S.R.O. 38 of 2000 and Act 9 of 2011)*



## SCHEDULE 1

### *(Regulation 3)*

In this Schedule—

- “**Active tooling unit**” means a device for applying motive power, process energy or sensing to the workpiece;
- “**adapted for use in war**” means any modification or selection (such as altering purity, shelf life, virulence, dissemination characteristics, or resistance to ultra violet (UV) radiation) designed to increase the effectiveness in producing casualties in humans or animals, degrading equipment or damaging crops or the environment;
- “**additives**” means substances used in explosive formulations to improve their properties;
- “**anti-idiotypic antibodies**” means antibodies which bind to the specific antigen binding sites of other antibodies;
- “**biocatalyst**” means enzymes and other biological compounds which bind to and accelerate the degradation of chemical warfare (CW) agents;
- “**biopolymer**” means the following biological macromolecules—
- (a) “**enzymes**”;
  - (b) antibodies, monoclonal, polyclonal or “**anti-idiotypic**”;
  - (c) specially designed or specially processed “**receptors**”;
- “**critical temperature**” (sometimes referred to as the transition temperature) of a specific superconductive material means the temperature at which the specific material loses all resistance to the flow of direct electrical current;
- “**end-effectors**” include grippers, active tooling units and any other tooling that is attached to the baseplate on the end of a “robot” manipulator arm;
- “**enzymes**” means “**biocatalysts**” for specific chemical or biochemical reactions;
- “**expression vectors**” means carriers (e.g., plasmid or virus) used to introduce genetic material into host cells;
- “**first generation image intensifier tubes**” means electrostatically focused tubes, employing input and output fibre optic or glass face plates, multi-alkali photocathodes (S-20 or S-25), but not microchannel plate amplifiers;
- “**improvised explosive devices**” means devices fabricated or intended to be placed in an improvised manner incorporating destructive, lethal, noxious, pyrotechnic or incendiary chemicals, designed to destroy, disfigure or harass; they may incorporate military stores, but are normally devised from non-military components;
- “**laser**” means an assembly or components which produce both spatially and temporally coherent light which is amplified by stimulated emission of radiation;

- “**microprogramme**” means a sequence of elementary instructions, maintained in a special storage, the execution of which is initiated by the introduction of a reference instruction into an instruction register;
- “**military explosives**” means solid, liquid or gaseous substances or mixtures of substances which, in their application as primary, booster, or main charges in warheads, demolition and other military applications, are required to detonate;
- “**military pyrotechnics**” means mixtures of solid or liquid fuels and oxidisers which, when ignited, undergo an energetic chemical reaction at a controlled rate intended to produce specific time delays, or quantities of heat, noise, smoke, visible light or infrared radiation, pyrophorics are a subclass of pyrotechnics, which contain no oxidisers but ignite spontaneously or contact with air;
- “**monoclonal antibodies**” means proteins which bind to one antigenic site and are produced by a single clone of cells;
- “**nuclear reactor**” means the items within or attached directly to the reactor vessel, the equipment which controls the level of power in the core, and the components which normally contain, come into direct contact with or control the primary coolant of the reactor core;
- “**polyclonal antibodies**” means a mixture of proteins which bind to the specific antigen and are produced by more than one clone of cells;
- “**programme**” means a sequence of instructions to carry out a process in, or convertible into, a form executable by an electronic computer;
- “**receptors**” means biological macromolecular structure capable of binding ligands, the binding of which affects physiological functions;
- “**required**” as applied to “**technology**”, refers to only that portion of “**technology**” which is peculiarly responsible for achieving or exceeding the controlled performance levels, characteristics of functions. Such “**required**” “**technology**” may be shared by different “**goods**”;
- “**riot control agents**” means substances which produce temporary, irritating or disabling physical effects which disappear within minutes of removal from exposure. There is no significant risk of permanent injury and medical treatment is rarely required;
- “**robot**” means a manipulation mechanism, which may be of the continuous path or of the point-to-point variety, may use sensors, and which—
- a. Is multifunctional;
  - b. Is capable of positioning or orienting material, parts, tools or special devices through variable movements in three dimensional space;
  - c. Incorporates three or more closed or open loop servo-devices which may include stepping motors; and
  - d. Has “**user-accessible programmability**” by means of the teach/playback method or by means of an electronic computer which may be a programmable logic controller, i.e., without mechanical intervention;

except:

- a. Manipulation mechanisms which are only manually/teleoperator controllable;
- b. Fixed sequence manipulation mechanisms, which are automated moving devices, operating according to programmes where the motions are limited by fixed stops, such as pins or cams and the sequence of motions and the selection of paths or angles are not variable or changeable by mechanical, electronic or electrical means;
- c. Mechanically controlled variable sequence manipulation mechanisms, which are automated moving devices, operating according to programmes where the motions are limited by fixed, but adjustable stops, such as pins or cams and the sequence of motions and the selection of paths or angles are variable within the fixed programme pattern; variations or modifications of the programme pattern (e.g., changes of pins or exchanges of cams) in one or more motion axes are accomplished only through mechanical operations;
- d. Non-servo-controlled variable sequence manipulation mechanisms, which are automated moving devices, operating according to mechanically fixed programmed motions; the programme is variable but the sequence proceeds only by the binary signal from mechanically fixed electrical binary devices or adjustable stops;
- e. Stacker cranes defined as Cartesian coordinate manipulator systems manufactured as an integral part of a vertical array of storage bins and designed to access the contents of those bins for storage or retrieval;

“**software**” means one or more “**programmes**” or “**microprogrammes**” fixed in any tangible medium of expression;

“**special gun-mounting**” means any fixture designed to mount a gun;

“**superconductive**” in relation to materials (i.e., metals, alloys or compounds), means those which can lose all electrical resistance (i.e., which can attain infinite electrical conductivity and carry very large electrical currents without Joule heating); the superconductive state of a material is individually characterized by a “**critical temperature**”, a critical magnetic field, which is a function of temperature, and a critical current density which is a function of both magnetic field and temperature;

“**tear gases**” means gases which produce temporary irritating or disabling effects which disappear within minutes of removal of exposure;

“**user-accessible programmability**” means the facility allowing a user to insert, modify or replace “**programmes**” by means other than—

- a. A physical change in wiring or interconnections; or
- b. The setting of function controls including entry of parameters.

The goods listed below are for convenience classified in accordance with the classification system used by the United Kingdom's Department of Trade and Industry for export purposes.

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### Goods prohibited from Export

**ML1** Arms and automatic weapons with a calibre of 12.7mm (calibre 0.50 inches) or less and accessories, as follows and specially designed components therefor:

- a. Rifles, carbines, revolvers, pistols, machine pistols and machine guns;
- b. Smooth-bore weapons specially designed for military use;
- c. Weapons using caseless ammunition;
- d. Silencers, “**special gun-mountings**”, clips and flash suppressers for arms specified in entry ML1.a., ML1.b. or ML1.c;

except:

- a. Air weapons (other than those declared by the Firearms (Dangerous Air Weapons) Rules 1969 (UK) to be specially dangerous);
- b. Firearms specially designed for dummy ammunition and which are incapable of firing any ammunition specified in this Part of this Schedule;
- c. Weapons using non-centre fire cased ammunition and which are not of the fully automatic firing type;
- d. Firearms which have been de-activated by a registered UK Proof House as being incapable of firing any ammunition specified in this Part of this Schedule;
- e. Bayonets.

### Technical Note:

Smooth-bore weapons specially designed for military use as specified in entry ML1.b. are those which:

- a. Are proof tested at pressures above 1,300 bars;
- b. Operate normally and safely at pressures above 1,000 bars; and
- c. Are capable of accepting ammunition above 76.2mm in length (eg. commercial 12-gauge magnum shot gun shells).

**PL5002** Telescopic sights for goods specified in entry ML1 and PL5018, other than those specified in entry ML5.b.

**PL5018** Smooth-bore weapons, other than those specified in entry ML1.b. and ML2, and specially designed components therefor;

except:

- a. Air weapons (other than those declared by the Firearms (Dangerous Air Weapons) Rules 1969 to be specially dangerous);
- b. Air (pneumatic) or cartridge (explosive) powered guns or pistols designed as:
  1. Industrial tools; or
  2. Humane stunning devices employed specifically for animal slaughter;
- c. Signal pistols.

**PL5021** Ammunition or cartridges, including projectiles, and specially designed components therefor, for the “goods” specified in entry PL5018;

except:

- a. Lead or lead alloy pellet ammunition specially designed for air weapons;
- b. Ammunition crimped without a projectile (blank star) and dummy ammunition with a pierced powder chamber.

**ML2** Armament or weapons with a calibre greater than 12.7mm (calibre 0.50 inches), projectors and accessories, as follows, and specially designed components therefor;

- a. Guns, howitzers, cannon, mortars, anti-tank weapons, projectile launchers, military flame throwers, recoilless rifles and signature reduction devices therefor;
- b. Military smoke, gas and pyrotechnic projectors or generators.

except:

Signal pistols.

**ML3** Ammunition, and specially designed components therefor, for the weapons specified in entry ML1, ML2 or ML12;

except:

- a. Ammunition crimped without a projectile (blank star) and dummy ammunition with a pierced powder chamber;
- b. Lead or lead alloy pellet ammunition specially designed for air weapons.

**ML4** Bombs, torpedoes, rockets, missiles, and related equipment and accessories, as follows, specially designed for military use, and specially designed components therefor:

- a. Bombs, torpedoes, grenades, smoke canisters, rockets, mines, missiles, depth charges, demolition-charges, demolition-devices and demolition-kits, “military pyrotechnics”, cartridges and simulators (ie. equipment simulating the characteristics of any of these items):

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- b. Equipment specially designed for the handling, control, activation, powering with one-time operational output, launching, laying, sweeping, discharging, decoying, jamming, detonation or detection of items specified in entry **ML4.a.**

**PL5006** Apparatus or devices specially designed for military use, used for the handling, control, discharging, decoying, jamming, detonation, disruption or detection of improvised explosive devices or other explosive devices not specified in entry **ML4.a.**, and specially designed components therefor;

except:

Inspection devices not employing electronic management.

**PL5030** Bombs and grenades, other than those specified in entry **ML4** and specially designed components therefor.

**ML5** Fire control, and related alerting and warning equipment, and related systems and countermeasure equipment, as follows, specially designed for military use, and specially designed components and accessories therefor:

- a. Weapon sights, bombing computers, gun laying equipment and weapon control systems;
- b. Target acquisition, designation, range-finding, surveillance or tracking systems; detection, data fusion, recognition or identification equipment; and sensor integration equipment;
- c. Countermeasure equipment for items specified in entry **ML5.a.** and **ML5.b.**

**ML6** Ground vehicles and components therefor specially designed or modified for military use.

**Technical Note:**

For the purposes of entry **ML6** the term ground vehicles includes trailers.

Note: Modification of a ground vehicle for military use entails a structural, electrical or mechanical change involving one or more specially designed military components.

**PL5031** Ground vehicles and related equipment, other than those specified elsewhere in this part of this Schedule, as follows:

- a. All wheel drive utility vehicles capable of off road use which have been manufactured or fitted with metallic or non-metallic materials to provide ballistic protection;
- b. Containers for mounting on vehicles, specially designed or modified for military use and components therefor specially designed or modified for military use.

**ML7** In this entry, references in square brackets to Chemical Abstract Service (“CAS”) numbers are included for convenience only. Goods of which the description in this entry includes a CAS reference are specified in this entry whether or not they fall within that reference.

Toxicological agents, toxic chemicals, “**tear gases**”, related equipment, components, materials and “**technology**” as follows:

- a. Toxicological agents and toxic chemicals, as follows:
  1. Biological agents and radioactive materials “**adapted for use in war**” to produce casualties in humans or animals, degrade equipment or damage crops or the environment and chemical warfare (“**CW**”) agents;
  2. The chemicals listed in items (1) to (6) of the Schedule to the Chemical Weapons Act 1996 (UK), read with notes 2 and 3 of that Schedule, whether or not they are CW agents within entry ML7;
  3. 3-Quinuclidinyl benzilate (BZ) [CAS 6581-06-02];
- b. CW binary precursors and key precursors, as follows:
  1. Alkyl (Methyl, Ethyl, n-Propyl or Isopropyl Phosphonyl Difluorides, such as: DF: Methyl Phosphonyldifluoride [CAS 676-99-3];
  2. O-Alkyl (H or equal to or less than C<sub>10</sub>, including cycloalkyl) 0-2-dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl) aminoethyl alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphonite and corresponding alkylated and protonated salts, such as: QL: O-Ethyl-2-di-isopropylaminoethyl methylphosphonite [CAS 57856-11-8];
  3. Chlorosarin: O-Isopropyl methylphosphonochloridate [CAS 1445-76-7];
  4. Chlorosoman: O-Pinakolyl methylphosphonochloridate [CAS 7040-57-5];
- c. “**Tear gases**” and “**riot control agents**” including:
  1. Bromobenzyl cyanide (CA)[CAS 5798-79-8];
  2. o-Chlorobenzylidenemalononitrile (o-Chlorobenzalmalononitrile) (CS)[CAS 2698-41-1];
  3. Phenylacetylchloride (w-chloroacetophenone)(CN) [CAS 532-27-4];
  4. Dibenz-(b.f)-1, 4-oxazepine(CR)[CAS 257-07-8];

except:

Tear gases or riot control agents individually packaged for personal self defence purposes.

- d. Equipment specially designed or modified for the dissemination of the materials or agents specified in entry ML7.a. and specially designed components therefor:

Note: Entry ML7.d. does not include equipment not specially designed or modified for military purposes.

- e. **“Goods”** specially designed for defence against materials specified in entry ML7a. and specially designed components therefor:

Note: Entry ML7.e. does not include **“goods”** not specially designed or modified for military purposes.

- f. **“Goods”** specially designed for the detection or identification of materials specified in **ML7.a.** and specially designed components therefor:

except:

### Personal radiation monitoring dosimeters

Note: Entry **ML7.f.** does not include **“goods”** not specially designed or modified for military purposes.

- g. **“Biopolymers”** specially designed or processed for the detection or identification of CW agents specified in entry ML7.a. and the cultures of specific cells used to produce them;
- h. **“Biocatalysts”** for the decontamination or degradation of CW agents and biological systems therefor, as follows:
1. **“Biocatalysts”** specially designed for the decontamination or degradation of CW agents specified in entry **ML7.a.** resulting from directed laboratory selection or genetic manipulation of biological systems;
  2. Biological systems, as follows: **“expression vectors”**, viruses or cultures of cells containing the genetic information specific to the production of **“biocatalysts”** specified in entry ML7.h.1.;
- i. **“Technology”** as follows:
1. **“Technology”** for the **“development”**, **“production”** or **“use”** of toxicological agents, related equipment or components specified in entry ML7.a. to ML7.f.;
  2. **“Technology”** for the **“development”**, **“production”** or **“use”** of **“biopolymers”** or cultures of specific cells specified in entry ML7.g.;
  3. **“Technology”** exclusively for the incorporation of **“biocatalysts”**, specified in entry ML7.h.1., into military carriers substances or military material.

Notes:

1. ML7.a. and ML7.c. do not include:
  - a. Cyanogen chloride;
  - b. Hydrocyanic acid;



- c. Chlorine;
- d. Carbonyl chloride (phosgene);
- e. Diphosgene (trichloromethyl-chloroformate);
- f. Ethyl bromoacetate;
- g. Xylyl bromide;
- h. Benzyl bromide;
- i. Benzyl iodide;
- j. Bromo acetone;
- k. Cyanogen bromide;
  - l. Bromo methylethylketone;
- m. Chloro acetone;
- n. Ethyl iodoacetate;
- o. Iodo acetone;
- p. Chloropicrin.

2. The “**technology**”, cultures of cells and biological systems listed in entries ML7.g., ML7.h.2. and ML7.i.3. are exclusive and do not include “**technology**”, cells or biological systems for civil purposes, such as agricultural, pharmaceutical, medical, veterinary, environmental, waste management, or in the food industry.

**ML8** In this entry, references in square brackets to Chemical Abstract Service (“**CAS**”) numbers are included for convenience only. Goods of which the description in this entry includes a CAS reference are specified in this entry whether or not they fall within that reference.

“**Military explosives**” and fuels, including propellants, and related substances, as follows:

- a. Substances, as follows, and mixtures thereof:
  - 1. Spherical aluminium powder [CAS 7429-90-5] with a particle size of 60 um or less manufactured from material with an aluminium content of 99% or more;
  - 2. Metal fuels in particle form whether spherical, atomized, spheroidal, flaked or ground, manufactured from material consisting of 99% or more of any of the following:
- b. Metals and mixtures therefore:
  - 1. Beryllium [CAS 7440-41-7] in particle sizes of less than 60 um;
  - 2. Iron powder [CAS 7439-89-6] with particle size of 3 um or less produced by reduction of iron oxide with hydrogen;
- c. Mixtures, which contain any of the following:

1. Zirconium [CAS 7440-67-7], magnesium [CAS 7439-95-4] and alloys of these in particle sizes of less than 60 um;
2. Boron [CAS 7440-42-8] or boron carbide [CAS 12069-32-8] fuels of 85% purity or higher and particle sizes of less than 60 um;
3. Perchlorates, chlorates and chromates composited with powdered metal or other high energy fuel components;
4. Nitroguanidine (NQ)[CAS 556-88-7];
5. Compounds composed of fluorine and any of the following: other halogens, oxygen, nitrogen;
6. Carboranes, decaborane [CAS 17702-41-9]; pentaborane and derivatives thereof;
7. Cyclotetramethylenetetranitramine [CAS 2691-41-0] (HMX); octahydro - 1,3,5,7 - tetranitro - 1,3,5,7 - tetrazine; 1,3,5,7 - tetranitro - 1,3,5,7 - tetraza-cyclooctane; (octogen, octogene);
8. Hexanitrostilbene (HNS) [CAS 20062-22-0];
9. Diaminotrinitrobenzene (DATB) [CAS 1630-08-6];
10. Triaminotrinitrobenzene (TATB) [CAS 3058-38-6];
11. Triaminoguanidinenitrate (TAGN) [CAS 4000-16-2];
12. Titanium subhydride of stoichiometry TiH 0.65-1.68;
13. Dinitroglycoluril (DNGU, DINGU) [CAS 55510-04-8]; tetranitroglycoluril (TNGU, SORGUYL) [CAS 55510-03-7];
14. Tetranitrobenzotriazolobenzotriazole (TACOT) [CAS 25243-36-1];
15. Diaminohexanitrobiphenyl (DIPAM) [CAS 17215-44-0];
16. Picrylaminedinitropyridine (PYX) [CAS 38082-89-2];
17. 3-nitro-1,2,4-triazol-5-one (NTO or ONTA) [CAS 932-64-9];
18. Hydrazine [CAS 302-01-2] in concentrations of 70% or more; hydrazine nitrate [CAS 37836-27-4]; hydrazine perchlorate [CAS 27978-54-7]; unsymmetrical dimethyl hydrazine [CAS 57-14-7]; monomethyl [CAS 60-34-4] hydrazine; symmetrical dimethyl hydrazine [CAS 540-73-8];
19. Ammonium perchlorate [CAS 7790-98-9];
20. Cyclotrimethylenetrinitramine (RDX) [CAS 121-82-4]; cyclonite; T4; hexahydro-1,3,5 - trinitro -1,3, 5-triazine; 1,3,5-trinitro-1,3,5-triaza-cyclohexane (hexogen, hexogene);
21. Hydroxylammonium nitrate (HAN) [CAS 13465-08-2]; hydroxylammonium perchlorate (HAP)[CAS15588-62-2];

22. 2-(5-cyanotetrazolato) penta amine-cobalt (III) perchlorate (or CP) [CAS 70247-32-4];
  23. cis-bis (5-nitrotetrazolato) tetra amine-cobalt (III) perchlorate (or BNCP);
  24. 7-Amino-4,6-dinitrobenzofurazane-1-oxide (ADNBF) [CAS 97096-78-1]; amino dinitrobenzofuroxan;
  25. 5,7-diamino-4,6-dinitrobenzofurazane-1-oxide (CAS 117907-74-1), (CL-14 or diamino dinitrobenzofuroxan);
  26. 2,4,6-trinitro-2,4,6-triazacyclohexanone (K-6 or Keto-RDX) [CAS 115029-35-1];
  27. 2,4,6,8-tetranitro-2,4,6,8-tetraazabicyclo [3,3,0]-octanone-3 [CAS 130256-72-3] (tetranitrosemiglycouril, K-55 or keto-bicyclic HMX);
  28. 1,1,3-trinitroazetidine (TNAZ) [CAS 97645-24-4];
  29. 1,4,5,8-tetranitro-1,4,5,8-tetraazadecalin (TNAD) [CAS 135877-16-6];
  30. Hexanitrohexaazaisowurtzitane [CAS 135285-90-4](CL-20 or HNIW); and chlathrates of CL-20;
  31. Polynitrocubanes with more than four nitro groups;
  32. Ammonium dinitramide (ADN or SR 12) [CAS 140456-78-6];
  33. Trinitrophenylmethylnitramine (tetryl) [CAS 479-45-8];
- d. Explosives and propellants that meet the following performance parameters.
1. Any explosive with a detonation velocity exceeding 8,700 m/s or a detonation pressure exceeding 34 GPa (340 kbar);
  2. Other organic explosives not listed in ML8, yielding detonation pressures of 25 GPa (250 kbar) or more that will remain stable at temperatures of 523 K (250<sup>0</sup>C) or higher for periods of 5 minutes or longer;
  3. Any other United Nations (UN) Class 1.1, solid propellant not listed in ML8, with a theoretical specific impulse (under standard conditions) of more than 250 s for non-metallised, or more than 270 s for aluminised compositions;
  4. Any UN Class 1.3 solid propellant with a theoretical specific impulse of more than 230 s for non-halogenised, 250 s for non-metallised and 266 s for metallised compositions;
  5. Any other gun propellants not listed in ML8, having a force constant of more than 1,200 kJ/kg;
  6. Any other explosives propellants or pyrotechnic not listed in ML8, that can sustain a steady-state burning rate of more than 38

mm/s under standard conditions of 6.89 MPa (68.9 bar) pressure and 294 K (21<sup>0</sup>C); or

7. Elastomer modified cast double based propellants (EMCDB) with extensibility at maximum stress of more than 5% at 233 K (-40<sup>0</sup>C);
- c. **“Military pyrotechnics”**;
- d. Other substances as follows:
1. Aircraft fuels specially formulated for military purposes;
  2. Military materials containing thickeners for hydrocarbon fuels specially formulated for use in flamethrowers or incendiary munitions, such as metal stearates or palmates (also known as octal) [CAS 637-12-7] and M1, M2, M3 thickeners;
  3. Liquid oxidisers comprised of or containing inhibited red fuming nitric acid (IRFNA) [CAS 8007-58-7] or oxygen difluoride;
- e. **“Additives”** and “precursors”, as follows:
1. Azidomethylmethyloxetane (AMMO) and its polymers;
  2. Basic cooper salicylate [CAS 62320-94-9]; lead salicylate [CAS 15748-73-9];
  3. Bis (2,2-dinitropropyl) formal [CAS 5917-61-3] or Bis (2,2-dinitropropyl) acetal [CAS 5108-69-0];
  4. Bis-(2-fluoro-2,2-dinitroethyl) formal (FEFO) [CAS 17003-79-1];
  5. Bis-(2-hydroxyethyl) glycolamide (BHEGA) [CAS 17409-41-5];
  6. Bis (2-methyl aziridiny) methylamino phosphine oxide (Methyl BAPO) [CAS 85068-72-0];
  7. Bisazidomethyloxetane and its polymers [CAS 17607-20-4];
  8. Bischloromethyloxetane (BCMO) [CAS 142173-26-0];
  9. Butadienenitrileoxide (BNO);
  10. Butanetrioltrinitrate (BTTN) [CAS 6659-60-5];
  11. Catocene [CAS 37206-42-1] (2,2-Bis-ethylferrocenyl propane); ferrocene carboxylic acids; N-butyl-ferrocene [CAS 319904-29-7]; Butacene [CAS 125856-62-4] and other adducted polymer ferrocene derivatives;
  12. Dinitroazetidine-t-butyl salt;
  13. Energetic monomers, plasticisers and polymers containing nitro, azido, nitrate, nitraza or difluoroamino groups;
  14. Poly-2,2,3,3,4,4-hexafluoropenatane-1,5-diol formal (FPF-1);

15. Poly-2,4,4,5,5,6,6-heptafluoro-2-tri-fluoromethyl-3-oxaheptane-1,7-diol formal (FPF-3);
16. Glycidylazide Polymer (GAP) [CAS 143178-24-9] and its derivatives;
17. Hexabenzylhexaazaisowurtzitane (HBIW) [CAS 124782-15-6];
18. Hydroxyl terminated polybutadiene (HTPB) with a hydroxyl functionality equal to or greater than 2.2 and less than or equal to 2.4, a hydroxyl value of less than 0.77 meq/g, and a viscosity at 30<sup>0</sup>C of less than 47 poise [CAS 69102-90-5];
19. Superfine iron oxide (Fe<sub>2</sub>O<sub>3</sub> hematite) with a specific surface area more than 250 m<sup>2</sup>/g and an average particle size of 0.003 um or less [CAS 1309-37-1-];
20. Lead beta-resorcylate [CAS 20936-32-7];
21. Lead stannate [CAS 12036-31-6], lead maleate [CAS 19136-34-6], lead citrate [CAS 14450-60-3];
22. Lead-copper chelates of beta-resorcylate or salicylates [CAS 68411-07-4];
23. Nitratomethylmethyloxetane or poly (3-Nitratomethyl, 3-methyl oxetane); (Poly-NIMMO)(NMMO) [CAS 84051-81-0];
24. 3-Nitrazo-1, 5-pentane diisocyanate [CAS 7406-61-9];
25. N-Methyl-p-Nitroaniline [CAS 100-15-2];
26. Organo-metallic coupling agents, specifically:
  - a. Neopentyl [diallyl] oxy, tri[diocetyl] phosphato titanate [CAS 103850-22-2]; also known as titanium IV, 2,2[bis 2-propenolato-methyl, butanolato, tris (diocetyl) phosphato][CAS 110438-25-0]; or LICA 12 [CAS 103850-22-2];
  - b. Titanium IV, [(2-propenolato-1) methyl, n-propanolatomethyl] butanolato-1, tris(diocetyl)pyrophosphate; or KR3538;
  - c. Titanium IV, [(2-propenolato-1) methyl, n-propanolatomethyl] butanolato-1, tris(diocetyl)phosphate;
27. Polycyanodifluoroaminoethyleneoxide (PCDE);
28. Polyfunctional aziridine amides with isophthalic, trimesic (BITA or butylene imine trimesamide), isocyanuric or trimethyladipic backbone structures and 2-methyl or 2-ethyl substitutions on the aziridinering;
29. Polyglycidylnitrate or poly (nitratomethyl oxirane); (Poly-GLYN) (PGN) [CAS 27814-48-8];
30. Polynitroorthocarbonates;
31. Propyleneimine, 2-Methylaziridine [CAS 75-55-8];

32. Tetraacetyldibenzylhexaazaisowurtzitane (TAIW);
33. Tetraethylenepentaamineacrylonitrile (TEPAN)  
[CAS 68412-45-3]; cyanoethylated polyamine and its salts;
34. Tetraethylenepentaamineacrylonitrileglycido 1 (TEPANOL)  
[CAS 68412-4 4]; cyanoethylated polyamine adducted with  
glycidol and its salts;
35. Triphenyl bismuth (TPB) [CAS 603-33-8];
36. Tris-1-(2-methyl)aziridinyl phosphine oxide (MAPO)  
[CAS 57-39-6; bis(2-methyl aziridinyl) 2-(2-hydroxypropanoxy)  
propylamino phosphine oxide (BOBBA 8); and other MAPO  
derivatives;
37. 1,2,3-Tris[1,2-bis(difluoroamino)ethoxy] propane  
[CAS 53159-39-0]; tris vinoxy propane adduct (TVOPA);
38. 1,3,5-Trichlorobenzene [CAS 10 8-70-3];
39. 1,2,4 trihydroxybutane (1,2,4 butanetriol);
40. 1,3,5,7 tetraacetyl-1,3,5,7,-tetraaza cyclo-octane (TAT)  
[CAS 41378-98-7];
41. 1,4,5,8 Tetraazadecalin [CAS 5409-42-7];
42. Low (less than 10,000) molecular weight, alcohol-functionalised,  
poly(epichlorohydrin); poly(epichlorohydrindiol) and triol.

except:

Boron and boron carbide enriched with boron-10 (20% or more of total boron-10 content).

**ML9** Combatant vessels and vessels (surface or underwater specially designed or modified for offensive or defensive action, whether or not converted to non-military use, regardless of current state of repair or operating condition, and whether or not they contain weapon delivery systems or armour, and components therefor specially designed or modified for military use.

**ML10 “Aircraft”**, unmanned airborne vehicles, aero engines and “aircraft” equipment, related “goods” and components, specially designed or modified for military use, as follows:

- a. Combat “aircraft” and specially designed components therefor;
- b. Other “aircraft” specially designed or modified for military use, including military reconnaissance, assault, military training, transporting and airdropping troops or military equipment, logistics support, and specially designed components therefor;
- c. Aero-engines specially designed or modified for military use, and specially designed components therefor;
- d. Unmanned airborne vehicles, including remotely piloted air vehicles (RPVs), and autonomous, programmable vehicles specially designed

or modified for military use and their launchers, ground support and related equipment for command and control;

- e. Airborne equipment, including airborne refuelling equipment, specially designed for use with the “**aircraft**” specified in entry ML10.a. or ML10.b. or the aero-engines specified in entry ML10.c., and specially designed components therefor;
- f. Pressure refuellers, pressure refuelling equipment, equipment specially designed to facilitate operations in confined areas and ground equipment, developed specially for “**aircraft**” specified in entry ML10.a. or ML10.b., or for aero-engines specified in entry ML10.c.;
- g. Pressurised breathing equipment and partial pressure suits for use in “**aircraft**”, anti-g suits military crash helmet and protective masks, liquid oxygen converters used for “**aircraft**” or missiles, and catapults and cartridge actuated devices for emergency escape of personnel from “**aircraft**”;
- h. Parachutes used for combat personnel, cargo dropping or “**aircraft**” deceleration, as follows:
  1. Parachutes for:
    - a. Pin point dropping of military personnel;
    - b. Dropping of paratroopers;
  2. Cargo parachutes;
  3. Paragliders, drag parachutes, drogue parachutes for stabilisation and attitude control of dropping bodies, (e.g recovery capsules, ejection seats, bombs);
  4. Drogue parachutes for use with ejection seat systems for deployment and inflation sequence regulation of emergency parachutes;
  5. Recovery parachutes for guided missiles, drones or space vehicles;
  6. Approach parachutes and landing deceleration parachutes;
  7. Other military parachutes;
- i. Automatic piloting systems for parachuted loads: equipment specially designed or modified for military use for controlled opening jumps at any height, including oxygen equipment.

**Note:**

Entries ML10.b. and ML.10.c. on specially designed components and related equipment for non-military “**aircraft**” or aero-engines modified for military use include only those military components and to military related equipment required for the modification to military use.

**ML11** Electronic equipment, not controlled elsewhere in this Part of this Schedule, specially designed for military use and specially designed components therefor.

**ML12** High velocity kinetic energy weapon systems and related equipment, as follows, and specially designed components therefor:

- a. Kinetic energy weapon systems specially designed for destruction or effecting mission abort of a target;
- b. Specially designed test and evaluation facilities and test models, including diagnostic instrumentation and targets, for dynamic testing of kinetic energy projectiles and systems.

N.B. For weapon systems using sub-calibre ammunition or employing solely chemical propulsion, and ammunition therefor, see entries ML1 to ML4.

**ML13** Armoured or protective equipment and constructions and components, as follows:

- a. Armoured plate as follows:
  1. Manufactured to comply with a military standard or specification; or
  2. Suitable for military use;
- b. Constructions of metallic or non-metallic materials or combinations thereof specially designed to provide ballistic protection for military systems;
- c. Military helmets(a)<sup>1</sup>;

except:

- a. Conventional steel helmets, neither modified or designed to accept, nor equipped with any type of accessory device;
- b. Helmets manufactured before 1945;
- c. Body armour and flak suits manufactured according to military standards or specifications, or equivalent, and specially designed components therefor;

except:

Individual suits of body armour for personal protection and accessories therefor when accompanying their users.

**PL5014** Specially designed components for the “goods” specified in entries ML.13.a., ML.13.b. and ML.13.c.

**ML14** Specialised equipment for military training or for simulating military scenarios and specially designed components and accessories therefor.

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<sup>1</sup>See also ML10.g.



**ML15** Imaging or countermeasure equipment, as follows, specially designed for military use, and specially designed component and accessories therefor;

- a. Recorders and image processing equipment;
- b. Cameras, photographic equipment and film processing equipment;
- c. Image intensifier equipment;
- d. Infrared or thermal imaging equipment;
- e. Imaging radar sensor equipment;
- f. Countermeasure or counter-countermeasure equipment for the equipment specified in entries ML.15.a. to ML.15.e.

except:

“**First generation image intensifier tubes**”.

**ML16** Forgings, castings and other unfinished products the use of which in a controlled product is identifiable by material composition, geometry or function, and which are specially designed for any of the “**goods**” specified in entries ML1 to ML4, ML6, ML9, ML10, ML12 and ML19.

**PL5020** Forgings, castings and semi-finished products specially designed for “**goods**” specified in entry PL5006 or PL5018.

**ML17** Miscellaneous “**goods**”, materials and libraries, as follows, and specially designed components therefor:

- a. Self-contained diving and underwater swimming apparatus, as follows:
  1. Closed or semi-closed circuit (rebreathing) apparatus specially designed for military use (i.e., specially designed to be non magnetic);
  2. Specially designed components for use in the conversion of open-circuit apparatus to military use;
  3. Articles designed exclusively for military use with self-contained diving and underwater swimming apparatus;
- b. Construction equipment specially designed for military use;
- c. Fittings, coatings and treatments for signature suppression, specially designed for military use;
- d. Field engineer equipment specially designed for use in a combat zone;
- e. “**Robots**”, “**robot**” controllers and “**robot**” “**endeffectors**”, having any of the following characteristics:
  1. Specially designed for military use;
  2. Incorporating means of protecting hydraulic lines against externally induced punctures caused by ballistic fragments (e.g., incorporating self-sealing lines) and designed to use hydraulic fluids with flash points higher than 839K (566<sup>0</sup>C); or

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3. Specially designed or rated for operating in an electro-magnetic pulse (EMP) environment;
- f. Libraries (parametric technical databases) specially designed for military use with equipment specified in this Part of this Schedule;
- g. Nuclear power generating equipment or propulsion equipment, including **“nuclear reactors”**, specially designed for military use and components therefor specially designed or modified for military use;
- h. **“Goods”** and material, coated or treated for signature suppression, specially designed for military use, other than those controlled elsewhere in this Part of this Schedule;
- i. Simulators specially designed for military **“nuclear reactors”**;
- j. Mobile repair shops specially designed to service military equipment;
- k. Field generators specially designed for military use; and
- l. Containers specially designed for military use.

#### Technical Note:

For the purpose of entry ML17, the term **“library”** (parametric technical database) means a collection of technical information of a military nature, reference to which may enhance the performance of military equipment or systems.

**ML18** Equipment and **“technology”** for the production (including design, examination, manufacture, testing and checking) of **“goods”** referred to in this Part of this Schedule, as follows:

- a. Specially designed or modified production equipment for the production of products specified in this Part of this Schedule, and specially designed components therefor;
- b. Specially designed environmental test facilities and specially designed equipment therefor, for the certification, qualification or testing of products specified in this Part of this Schedule;
- c. Specific production **“technology”**, even if the equipment with which such **“technology”** is to be used is not controlled;
- d. **“Technology”** specific to the design of the assembly of components into and the operation, maintenance and repair of complete production installations even if the components themselves are not controlled.

**PL5017** Equipment and test models specially designed or modified for the **“development”** or use of military **“goods”** specified in this Part of this Schedule.

**ML19** Directed energy weapon systems (DEW) related or countermeasure equipment and test models, as follows, and specially designed components therefor:

- a. **“Laser”** systems specially designed for destruction or effecting mission-abort of a target;

- b. Particle beam systems capable of destruction or effecting mission-abort of a target;
- c. High power radio-frequency (RF) systems capable of destruction or effecting mission-abort of a target;
- d. Equipment specially designed for the detection or identification of, or defence against systems specified in entries ML19.a. to ML19.c.;
- e. Physical test models and related test results for the systems, equipment and components specified in this entry.

**ML20** Cryogenic and “**superconductive**” equipment, as follows, and specially designed components and accessories therefor:

- a. Equipment specially designed or configured to be installed in a vehicle for military ground, marine, airborne or space applications, capable of operating while in motion and of producing or maintaining temperatures below 103K (-170<sup>0</sup>C);
- b. “**Superconductive**” electrical equipment (rotating machinery and transformers) specially designed or configured to be installed in a vehicle for military ground, marine, airborne or space applications, capable of operating while in motion;

except:

Direct-current hybrid homopolar generators that have single-pole normal metal armatures which rotate in a magnetic field produced by superconducting windings, provided those windings are the only superconducting component in the generator.

**ML21** “**Software**” as follows:

- a. “**Software**” specially designed or modified for the “**development**”, “**production**” or “**use**” of equipment or materials specified in this Part of this Schedule;
- b. Specific “**software**”, as follows:
  - 1. “**Software**” specially designed for:
    - a. Modelling, simulation or evaluation of military weapon systems;
    - b. “**Development**”, monitoring, maintenance or up-dating of “**software**” embedded in military weapon system;
    - c. Modelling or simulating military operation scenarios, not specified in ML14;
    - d. Command, Communications, Control and Intelligence (C<sup>3</sup>I) applications;
  - 2. “**Software**” for determining the effects of conventional, nuclear, chemical or biological warfare weapons.

**PL5001** Other security and para-military police “**goods**” as follows:

- a. Acoustic devices represented by the manufacturers or suppliers thereof as suitable for riot control purposes and specialised components therefor;
- b. Anti-riot shields and components therefor;
- c. Leg-irons, shackles (excluding any pair of handcuffs the maximum dimension of which when locked does not exceed 240 mm) and gangchains, specially designed for restraining human beings;
- d. Portable anti-riot devices for administering an electric shock or an incapacitating substances, and specialised components therefor;
- e. Water cannon and components therefor;
- f. Riot control vehicles which have been specially designed or modified to be electrified to repel boarders.

**ML22** “**Technology**” according to the General Technology Note for the “**development**”, “**production**” or “**use**” of “**goods**” specified in this Part of this Schedule other than “**technology**” controlled in entries ML7 and ML18.

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**SCHEDULE 2**

*(Regulation 3)*

Afghanistan  
Angola  
Argentina  
Armenia  
Azerbaijan  
Bosnia-Herzegovina  
Burma (Myanmar)  
Burundi  
China (People's Republic)  
Croatia  
Liberia  
Nigeria  
Rwanda  
Somalia  
Sudan  
Tanzania  
Uganda  
Yugoslavia (Federal Republic of)  
Zaire

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