

Awareness Briefing on Update to the Strategic Goods Control List



Our Vision: An Active and Valuable Partner for the Trading Community

Outline

- Quick recap on Singapore's Strategic Goods Control System
- Changes to the Strategic Goods Control List

Singapore's Strategic Goods Control



Our Vision: An Active and Valuable Partner for the Trading Community

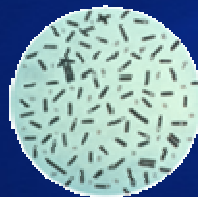
What are Strategic Goods

Items that can be used for production, development or use of Nuclear, Chemical or Biological Weapons or Missiles Capable of Delivering these Weapons and items



What are Strategic Goods

- Strategic Goods include
 - Military goods including conventional arms
 - Dual-use items – both civilian / industrial and military application
 - Related software and technology



Basis of Strategic Goods Control

Nuclear
Non-
Proliferation
Treaty
(NPT)

Biological
and Toxin
Weapons
Convention
(BWC)



Chemical
Weapons
Convention
(CWC)

United
Nations /
International
Treaties &
Conventions

United Nations
Security
Council
Resolutions
(UNSCR)

UN / International Treaties & Conventions

Informal Export Control Regimes

Missile
Technology
Control Regime
(MTCR)

Nuclear
Suppliers
Group
(NSG)

The 4 Informal
Export Control
Regimes

The
Australia
Group
(AG)

Wassenaar
Arrangement
(WA)

UNSC Resolution 1540

- Adopted by the UN Security Council in April 2004
- Three main provisions:
 - Prohibition on supporting non-state actors in developing, acquiring, possessing, transporting, transferring or using nuclear, biological or chemical weapons and their means of delivery
 - Requirement that states implement domestic legislation that helps to ensure the previous provision
 - Requirement that states implement domestic controls to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery, including the controls on related materials
- Created the 1540 Committee to monitor compliance
- Additional information: [1540 Committee Website](http://www.un.org/sc/1540/)
(<http://www.un.org/sc/1540/>)

Other UNSC Resolutions

Afghanistan	Resolution <u>1333 (2000)</u>
Democratic Republic of Congo	Resolution <u>1533 (2004)</u>
Cote D'Ivoire	Resolution <u>1572 (2004)</u>
Democratic People's Republic of Korea	Resolution <u>1718 (2006)</u> , <u>1874 (2009)</u>
Iran	Resolution <u>1737(2006)</u> , <u>1747 (2007)</u> , <u>1803 (2008)</u>
Iraq	Resolution <u>1518 (2003)</u>
Liberia	Resolution <u>1521 (2003)</u>
Sierra Leona	Resolution <u>1132 (1997)</u>
Somalia	Resolution <u>751 (1992)</u>
Sudan	Resolution <u>1591 (2005)</u>
Sanctions Against Terrorism	Resolution <u>1267 (1999)</u> , <u>1373 (2001)</u>

Singapore's Strategic Goods Control Framework



Legislations

Strategic Goods (Control) Act (effective 1 Jan 2003)

- Comprehensive regulatory requirements - export, transshipment/transit, brokering, ITT
- Control list
- Catch-all – “relevant activity”
- Greater enforcement powers
- Enhance international cooperation for related offences

Strategic Goods (Control) Regulations (effective 1 Jan 2004)

- Stipulate the conditions of permit approval, revocation or suspension
- Implement the bulk permits scheme
- Stipulate record-keeping requirements
- Impose Composition fines

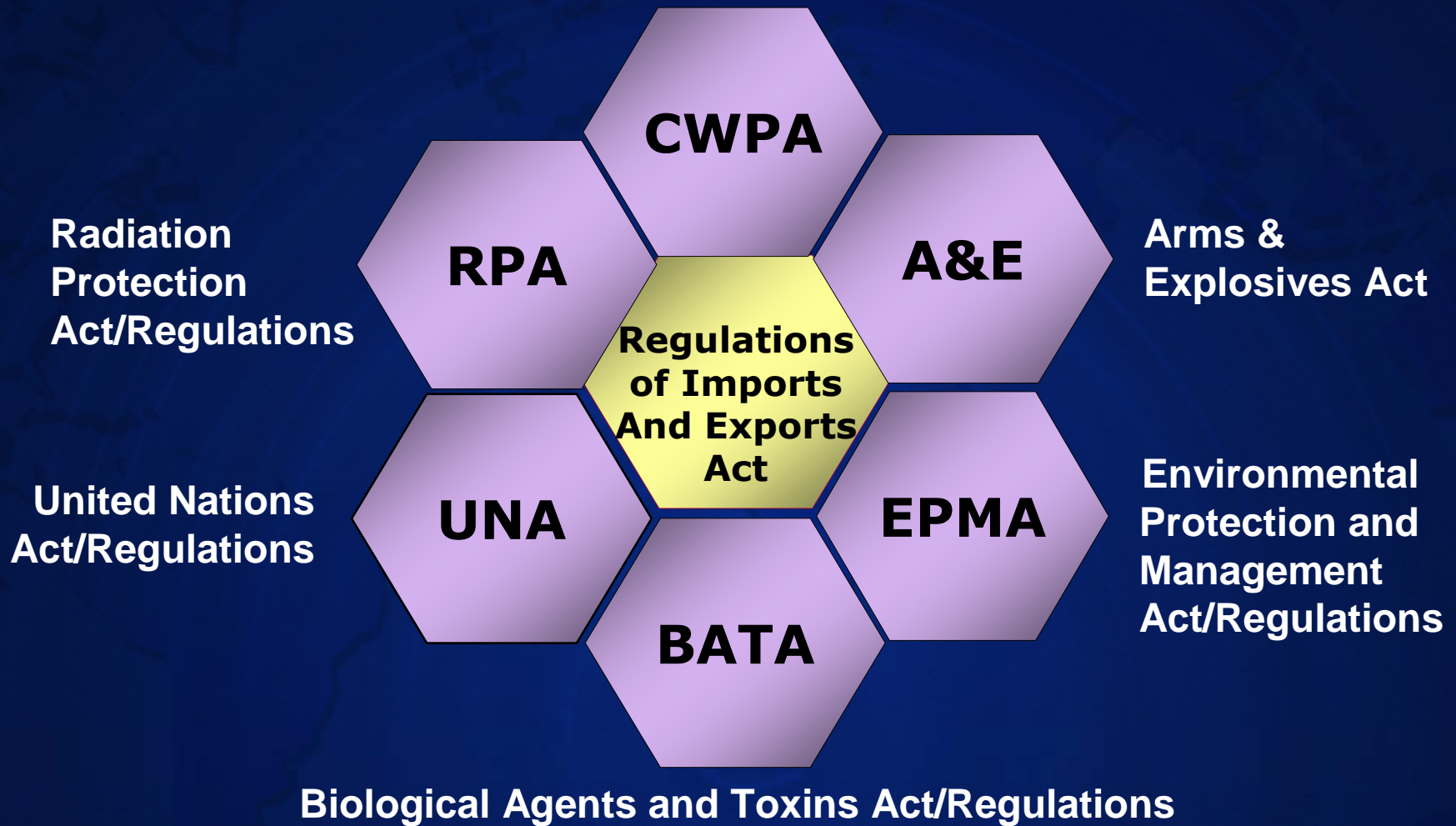


Amendments to Legislations

Legislation Amendments	Updates
Strategic Goods (Control) (Amendment) Act 2007	To enable the control list to be listed under a separate subsidiary legislation/Order, rather than in the Act itself
Strategic Goods (Control) (Amendment) Regulations 2007	To facilitate future updates or changes to the control list To amend the time period for record-keeping and permit submission requirements
Strategic Goods (Control) Order 2007	List the expanded/updated control list
Strategic Goods (Control) (Brokering) Order 2007	List the brokering controlled items under a separate schedule
Strategic Goods (Control) Order 2009	Rescinded the SGC Order 2007. New SGC Order 2009 published 23 Mar 09, with effect from 1 Apr 2009, to incorporate changes in the international regimes' lists
Strategic Goods (Control) Order 2010	Replaces the SGC Order 2009 effective 1 Apr 2010, to incorporate changes to the EU amendments in May 2009 and WA's amendments in Dec 2009.

Other Related Legislations

Chemical Weapons (Prohibition) Act/Regulations



Scope of Control

Control List

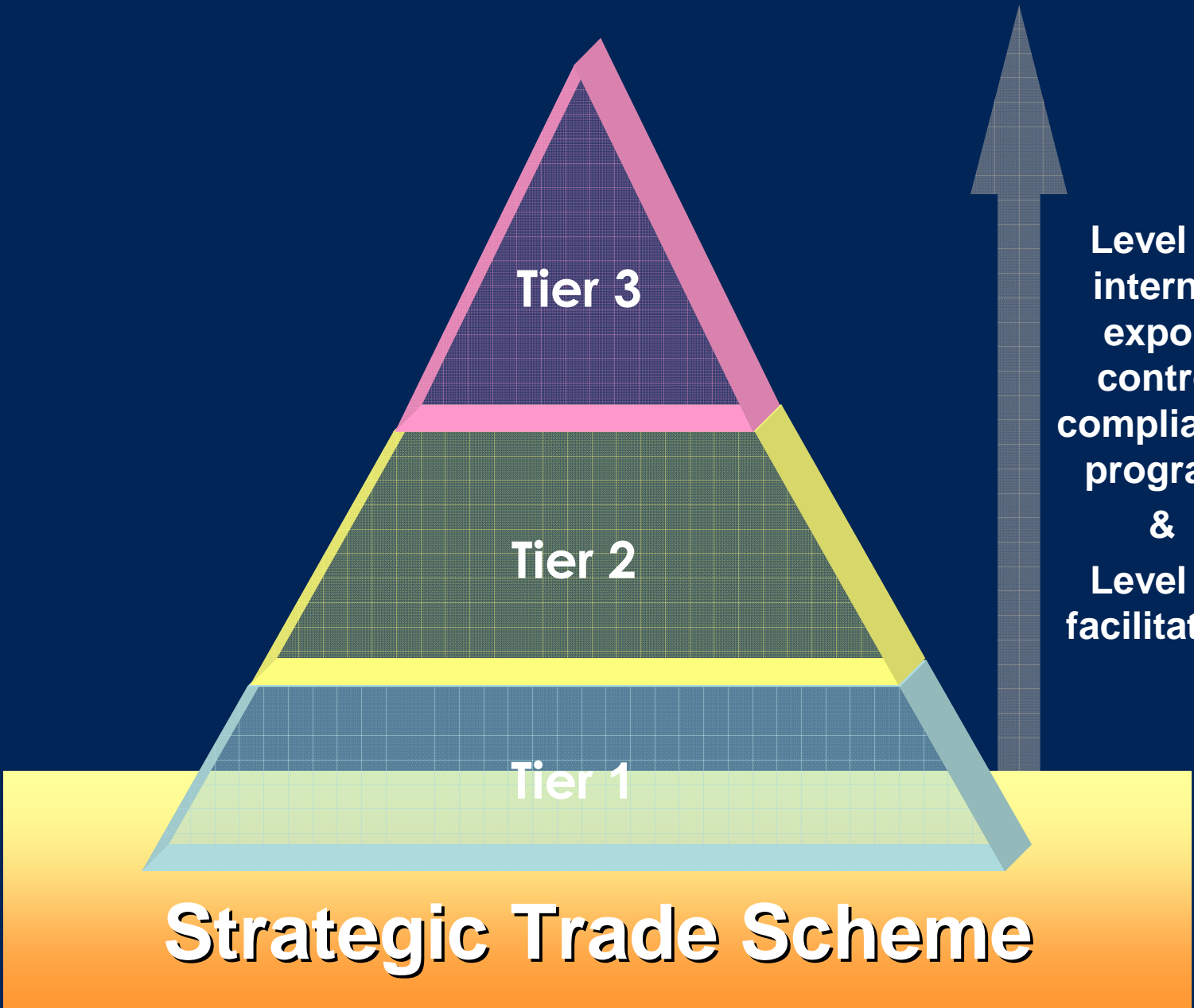
- Munitions List
- Dual-use List

Catch-All

- Other goods and technology that are known or suspected to be used in a nuclear, chemical or biological weapons programme, or missiles capable of delivering these weapons

Controlled Transactions

- Export/ Re-export
- Transshipment
- Transit
- Intangible Transfer of Technology
- Brokering



Type of Permit

Nature of Transaction

Level of Internal Export Control Compliance Program

How to Apply*

Tier 3

Pre-approved multiple products to pre-declared destinations
(certain ML/dual-use items – pre-approved)

Fulfill all 7 elements of an effective ICP:
•Company's Commitment
•Appoint SGCO
•Product screening
•End-user screening
•Maintain proper records
•Conduct regular audits
•Provide training

Submit Form I
+ supporting documents

Tier 2

Multiple products to specific end-user / specific product to multiple end-users

Fulfill 4 basic elements of an effective ICP:
•Product screening
•End-user screening
•Maintain proper records
•Conduct regular audits

Submit Form H
+ supporting documents

Tier 1

Per transaction basis
(not covered by Tier 2 or Tier 3 permits)

A strategic goods permit is required prior to any ITT or export, transshipment and transit of strategic goods

Exports – Submit TradeNet® Strategic Goods Permit

ITT - Submit Form C
+ supporting documents

Responsibilities/Obligations

- Exercise due diligence
- Comply with Customs regulations/required domestic laws
- Submit correct (and complete) information and documents

All parties involved must ensure that a permit is taken out before exporting/transferring any controlled goods/technology

Enforcement Actions

- Risk Profiling for Physical Inspections and Investigations
 - Check consignments which are suspected to be for proliferation activities
- Audit checks for compliance
 - Review of documents
 - On-site audits
- International cooperation
 - e.g Compliance audits with US BIS's Pre-Licence Checks (PLC) and Post-Shipment Verification (PSV)

Unilateral Sanctions

Import Certificate & Delivery Verification	Country	Lists
<p>Sanctioned Lists & Red Flags</p> <p>United Nations Security Council (UNSC) Sanctions</p> <p>Other Red Flags Indicators</p> <p>Unilateral Sanctioned Lists or Embargoes</p> <p>Courses & Seminars</p>	<p><i>EU / UK</i></p>	<p>EU Common Foreign and Security Policy (CFSP)</p> <p>EU Sanctions</p> <p>UK Embargoed Countries</p> <ul style="list-style-type: none"> ■ Sanctions and export controls by Country ■ Export restrictions applying to all Countries
<p>QUICK LINKS</p> <p>Forms</p> <p>Circulars</p>	<p><i>Japan</i></p>	<p>List of End-Users for Catch-All Control in Japan</p> <p>Exports to entities therein will require Japan Export Licences</p>
<p>CONTACT US</p> <p>Strategic Goods Control Branch Helpline</p> <p>Tel: (65) 6337 5996</p> <p>✉ Email us</p>	<p><i>United States (US)</i></p>	<p>Denied Persons List</p> <p>Unverified List</p> <p>Entity List</p> <p>Defense Trade Controls: List of Debarred Parties</p> <p>Defense Trade Controls: Embargo Countries</p>
<p>MAILING LIST</p> <p>Click here to join the mailing list for circulars and updates.</p>		



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CONTACT US

Strategic Goods Helpline

Tel: (65) 6337 5996

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Highlights

Strategic Goods Control List

12 Feb 10 Highlights of Key Changes to the Strategic Goods Control List (effective from 1 Apr 2010). [More](#)

DID YOU KNOW?

The advance submission period for strategic goods permit declaration with supporting working papers has been extended to 14 days before the date of departure.

www.customs.gov.sg/stgc

customs_stgc@customs.gov.sg

STGC Helpline: 6337 5996

Upcoming Events

Changes to the Control List with effect from 1 Apr 2010



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Background

- The Strategic Goods Control list comprises two parts:
 - Munitions List (ML), adopted from the Munitions List of the Wassenaar Arrangement (WA)
 - Dual-Use List (DL), adopted from the EU's List of Dual-Use Items and Technology which is a compilation of items found in the lists of the 4 multilateral export control regimes.

Amendments to the SGC Order

- The Strategic Goods (Control) Order 2009 will be rescinded
- New Order - Strategic Goods (Control) Order 2010 effective 1 Apr 2010
 - Control List updated based on latest amendments to EU's Dual-use list in May 2009 and WA's Munitions list in Dec 2009
- Subsequent annual amendments based on latest WA and EU amendments

Key Changes

- Mainly editorial changes for consistency and clarification/ elaboration on controls
- New & Deletion of definitions
- New controls
- Relaxation of controls
- Removal of controls

Key Changes to the ML

- Mainly rephrasing to clarify controls
- 2 new definitions (“fibrous or filamentary materials” and “fuel cell”)
- New controls:
 - Mountings specially designed for weapons specified in ML2.a. [ML2.d.]
 - “Propellants”, not specified elsewhere in the ML, specially designed for military use [ML8.b.7.]
 - “Fuel cells”, not specified elsewhere in the ML, specially designed for military use [ML17.p.]

Key Changes to the DL

- Mainly editorial changes for consistency and clarification/ elaboration on controls
- 4 new and 2 deletions of definitions
- Remove controls on:
 - Certain field programmable logic devices [3A007.a.7.]
 - Certain equipment, components or accessories for the development, production or use of those specified in 5B001, 5D001 or 5E001 [5B001.a.]
 - Certain software specially designed for the development, production or use of those specified in 5B001 [5D001]
 - Certain spaced qualified focal arrays [6A002.e.]
 - Certain imaging cameras incorporating focal plane arrays [6A003.b.4.d.]

Key Changes to DL (relaxation)

- Relaxation of existing controls:
 - Composite structures [1A002]
 - Custom integrated circuits [3A001.a.10]
 - Acoustic wave devices [3A001.c.1]
 - Rotary input type shaft absolute position encoders [3A001.f.]
 - Frequency synthesized signal generators [3A002.d.3.a.]
 - Software and technology specified designed or modified for development or production of certain digital computers [4D001.b. & 4E001.b.]
 - Information security equipment [5A002.a. & b.]
 - Monospectral imaging sensors [6A002.b.]
 - Range instrumentation radars [6A108.b.2.a.]
 - Accelerometers [7A101]

Key Changes to DL (New Controls)

Category 1

- Certain electronic equipment specially designed for automatically detecting or identifying the presence of explosive residues [1A004.d.]
- Charges, devices and components [1A008]
- Certain fibre placement machines [1B101.a.]
- Certain propellant additives and agents [1C111.c.7.]

Key Changes to DL (New Controls)

Category 2

- Certain valves made of specific ceramic materials [2B350.g.9.]
- Software specially designed for the use of equipment specified in 2B351 [2D351]

Key Changes to DL (New Controls)

Category 3

- Certain oscillators [3A001.b.10.]
- Certain solid-state power semiconductors switches, diodes or modules [3A001.h.]

Key Changes to DL (New Controls)

Category 5

Part I - Telecommunications

- Electronic equipment designed to activate or prevent initiation of Radio Controlled Improvised Explosive Devices [5B001.h.]
- Technology for the development or production of certain mobile equipment [5E001.c.6.]
- Technology for the development or production of MMIC power amplifiers and electronic devices and circuits specially designed for telecommunications [5E001.d. & e.]

Part II – Information Security

- Certain non-cryptographic information and communications technology security systems and devices [5A002.a.7.]

Key Changes to DL (New Controls)

Category 6

- Diver deterrent acoustic systems [6A001.c.]
- Certain optical detectors [6A002.a.1.d.]
- Software designed or modified for certain cameras incorporating focal array planes [6D003.c.]
- Software specially designed for certain magnetic and electric field compensation systems and software specially designed for magnetic and electric field anomaly detection [6D003.f.]

Key Changes to DL (New Controls)

Category 9

- Technology for the production of UAVs [9E101]

For reference

- Munitions List (<http://www.wassenaar.org/controllists/2009/WA-LIST%20%2809%29%201/15%20-%20WA-LIST%20%2809%29%201%20-%20ML.doc>)
- Dual-Use List
(http://trade.ec.europa.eu/doclib/docs/2009/june/tradoc_143390.pdf)
- Highlights of Key Changes made to the Strategic Goods Control List
(<http://www.customs.gov.sg/stgc/leftNav/str/Updates.htm>)
- Strategic Goods (Control) Order 2010
(<http://www.customs.gov.sg/NR/rdonlyres/41A882F8-1586-4408-930F-5B711553D645/0/StrategicGoodsControlOrder2010.pdf>)