

Scheduled Chemicals Controlled by The Director of National Authority (NA) (Chemical Weapons Convention) (CWC)

I&E Notice No. 15/97

7 Nov 97

To: All Traders, Freight Forwarders,
Cargo Agents and Carriers

We wish to inform you that with effect from **15 Nov 97**, all scheduled chemicals in the Chemical Weapons Convention will be controlled by the Director, National Authority (NA) (Chemical Weapons Convention) (CWC) for **imports, exports and transshipments**. You can submit your Permit applications for these controlled items through TradeNet for processing and approval.

The scheduled chemicals given in **Annex A** are controlled by Director, NA (CWC) only. There are other chemicals that are already being controlled by other competent authorities (CAs) such as Pollution Control Dept. (PCD), Drug Administration Division (DAD) or TDB (Ozone Depleting Substances) (ODS) which will also be controlled by the Director, NA (CWC). Those chemicals that are controlled by more than one CA are listed in **Annexes B to D**.

If you need further clarifications, you may contact the following officers :

- a. NA (CWC) officer on requirements of CWC scheduled chemicals and licensing and permit application procedures at Tel. No. 775 5137 or
- b. Customs Call Centre at Tel. No. 6355 2000.

You can also surf the Internet for more information about the Chemical Weapons Convention. The address is <http://www.opcw.nl/info.htm>

Pre-Application Checks

Before submission of the TDBDEC/JNTDEC application through TradeNet, you must:

1. have a licence approved by the Director, NA (CWC) if the chemicals are classified as scheduled chemicals.

The Licence stipulates the type and maximum annual aggregate of the chemicals your company is entitled to import and/or export as well as to produce, process, consume and store the scheduled chemicals as specified in your Licence. This amount is stated in the Licence issued to your company by the Director, NA (CWC). You must ensure that the quantity that you are going to trade does not exceed the total aggregate balance.

The Licence is renewable yearly or earlier when the type and annual maximum aggregate of the scheduled chemicals you are handling need to be revised. You can refer to the Handbook on CWC issued by the Director, NA (CWC) for the procedures on applying for the Licence.

2. determine whether the chemicals are controlled by Director, NA (CWC) only or by more than one CA such as :
 - a) Director, NA (CWC) and DAD
 - b) Director, NA (CWC) and PCD
 - c) Director, NA (CWC), TDB (ODS) and PCD.

You can refer to **Annex A** for the scheduled chemicals controlled by the Director, NA (CWC) only and **Annexes B to D** for chemicals controlled by more than one CA.

You must also distinguish whether the chemicals are subject to import, export or transshipment control by other CAs. The control requirements for the other CAs [PCD, DAD or TDB (ODS)] remain unchanged. E.g., if the chemical to be imported is presently controlled by PCD, you must ensure that you have a Poisons Licence issued by PCD besides the Licence issued by the Director, NA (CWC).

3. have all the necessary supporting documents such as invoice, Bill of Lading/Air Waybill or End-User Certificate (only for exports to non-State Parties of the CWC) before you start preparing the Permit application.

Preparation of Permit Application

You can prepare the Permit application through TradeNet for processing and approval by the Director, NA (CWC). If the item is controlled by more than one CA, the TradeNet system will route the Permit application to the other CA for further processing after the approval by the Director, NA (CWC).

You have to take note of the following fields/columns when applying for the Permit :

1. **Licence No.** - you must declare the Licence No. for imports and exports of the scheduled chemicals controlled under CWC.

If the chemical is controlled by more than one CA, e.g. the Director, NA (CWC) and PCD, you must first quote the valid Licence No. for Director, NA (CWC) followed by the Licence No. for PCD.
2. **Description of Goods** - you must declare complete and clear description of the chemical name that you are going to trade in, including the Chemical Abstract Service (CAS) Registry No.. The CAS registry No. is available in the Annexes. Purity of the chemical must also be included in a new line of the "Description of Goods" field. **There must be a minimum of two lines in this field.**
3. **Product Code** - you must prepare separate Permit applications for chemicals listed in different **Annexes** for imports.

If it is controlled only by the Director, NA (CWC), specific Product Codes are assigned for the chemical names found in **Annex A**. You only use the generic Product Code **"MISC"** if the chemical name cannot be found in **Annex A**.

If it is controlled by more than one CA, you must also declare the specific Product Code for the chemical name which you can find from **Annexes B, C or D**. You only declare the Product Code **"NEXTCA"** if you cannot find the chemical name in **Annexes B, C or D**.

You should not combine items with Product Code **"NEXTCA"** with other specific Product Codes or Product Code **"MISC"** with other specific Product Codes in the same Permit application.

4. **Product Quantity** - for import and export, the quantity you declare for the shipment must not exceed the total aggregate balance of this chemical.
5. **Product Quantity Unit** - you must declare according to the Product Quantity Unit as stated in the **Annexes**. In summary :

Chemicals

Product Quantity Unit

Schedule 1A and 1B GRM (gram)

Schedule 2A and 2B KGM (kilogram)

Schedule 3A and 3B TNE (tonne)

6. E.g. the HS code 2812 10 000 for phosgene classified under Schedule 3A requires you to declare the Unit of Quantity by "KGM" but in the Product Quantity Unit field, you have to convert "KGM" into "TNE" as phosgene is found in Schedule 3A list of chemicals.
7. **Country of Final Destination** - you can refer to **Annex E** for the list of State Parties to the Chemical Weapons Convention as at 31 Oct 97. This list may be subject to further updates but you can make enquiry through the Cargo Information System (CIS) or get a copy from the Director, NA (CWC) for regular updates.

For export of scheduled 2 and 3 chemicals to non-State Parties of the CWC, you will need to submit the End-User Certificate to the Director, NA (CWC) with your Permit application. Your Permit application will be processed and approved once the Director, NA (CWC) has verified the supporting documents.

Submission of Supporting Documents

After you have submitted the Permit application through TradeNet, the relevant supporting documents must be made available upon request by fax to the Director, NA (CWC) at **fax No. 7755 946**. However, it is compulsory for you to submit immediately to the Director, NA (CWC) the **End-User Certificate** should the export is to a non-State Party. You have to quote the Unique Reference No. on the **top right hand corner of all the supporting document(s)** before faxing. If the chemicals are controlled by the Director, NA (CWC) and another CA, the current procedural requirements of faxing the supporting documents to the relevant CA remain unchanged.

Obtaining Approval From TradeNet

Once you have obtained approval of the Permit through TradeNet, you must check and comply with the approval conditions, if any, stated in the Permit. If the item is controlled by more than one CA, all the relevant CAs' approval messages should be generated and you must comply with all the conditions stated in the Permit.

DR LEE FOOK KAY
DIRECTOR
NATIONAL AUTHORITY
(CHEMICAL WEAPONS CONVENTION)