

National Implementation Action Plan and Fourth Report of the United Kingdom of Great Britain and Northern Ireland on the implementation of United Nations Security Council Resolution 1540 (2004)

I. Introduction

1. The United Kingdom is pleased to present its National Implementation Action Plan and its fourth report on the implementation of United Nations Security Council Resolution 1540 ((2004) Annex 1).
2. A matrix indicating how the measures described in these documents relate to Resolution 1540 (2004) is at Annex 2.

Context

3. Resolution 1540 (2004) obliges all UN Member States to take measures to refrain from supporting by any means non-State actors from developing, acquiring, manufacturing, possessing, transporting, transferring or using nuclear, chemical or biological weapons and their delivery systems.
4. The resolution imposes binding obligations on all States to adopt legislation to prevent the proliferation of nuclear, chemical and biological weapons, and their means of delivery, and establish appropriate domestic controls over related materials to prevent their illicit trafficking. It also encourages enhanced international cooperation on such efforts.
5. On 20 April 2011, the Security Council adopted Resolution 1977. This reaffirmed that the proliferation of nuclear, chemical and biological weapons and their means of delivery constitutes a threat to international peace and security, and extended the mandate of the 1540 Committee for a period of ten years to 2021.
6. Resolution 1977 encourages all States to prepare on a voluntary basis National Implementation Action Plans, for submission to the 1540 Committee.

UK Security Strategy

7. The UK National Security Strategy describes the structures we need to react quickly and effectively to new and evolving threats. It identifies the most pressing risks to our security, and the ways and means to address them.

8. The National Security Council is responsible for overseeing the implementation of the National Security Strategy. Chaired by the Prime Minister, the Council includes Ministers and military and intelligence chiefs.
9. The National Security Strategy identified as a priority risk: *International terrorism affecting the UK or its interests, including a chemical, biological, radiological or nuclear attack by terrorists*. The UK National Counter Proliferation Strategy sets the framework for cross-government action to mitigate this risk. Agreed by the National Security Council, it has three key objectives:
 - to deny terrorists the materials and expertise to make and use weapons of mass destruction;
 - to stop states from obtaining WMD or advanced conventional weapons; and
10. To support the IAEA, UN and other organisations and treaties that help us meet our objectives through the international community and which serve to underpin global security and prosperity. The Foreign and Commonwealth Office (FCO) is the lead department for counter proliferation work across government, and the Foreign Secretary is the lead Minister.

Policy coordination and implementation

11. The FCO-Chaired Counter Proliferation Implementation Committee (CPIC) is the principal mechanism for coordinating and monitoring counter proliferation activity across government departments. CPIC includes officials from all relevant policy departments, including: from the Cabinet Office, Ministry of Defence (MOD), Department of Energy and Climate Change (DECC), Department of Business Innovation and Skills (BIS), Her Majesty's Revenue and Customs (HMRC), Her Majesty's Treasury (HMT) and Intelligence Agencies.
12. The FCO chairs regular cross-government meetings to consider policy on key international non-proliferation instruments including: the Nuclear Non Proliferation Treaty (NPT), working with the MOD and DECC; the Chemical Weapons Convention (CWC), working with the MOD, DECC, and the Defence Science and Technology Laboratory (DSTL); and the Biological and Toxin Weapons Convention (BTWC), working with the MOD, DECC, BIS, DSTL, Home Office, Department of Health, Department for Environment, Food and Rural Affairs (DEFRA), Government Office for Science, Health Protection Agency, Metropolitan Police, Health and Safety Executive (HSE), National Counter Terrorism Security Office (NaCTSO), Food Standards

Agency, Animal Health and Veterinary Laboratories Agency (AHVLA), Food and Environmental Research Agency (FERA).

13. UK delegations to international counter proliferation meetings typically comprise of officials from a number of government departments, including the FCO, MOD, and DECC. Delegations are often supported by members from UK industry and the Office for Nuclear Regulation (ONR).

What we seek to achieve

14. The UK is a consistent supporter of the rules-based international system of organisations, ad hoc groups, treaties and regimes that function to limit the number of states with, or looking to acquire WMD, their delivery systems, or advanced conventional capabilities. In contributing to this system's development, the UK seeks to:

- strengthen international commitments to non-proliferation treaties such as the NPT, the BTWC and the CWC;
- provide financial, technical and diplomatic support to the international bodies that promote and monitor their implementation, such as the International Atomic Energy Agency (IAEA) and the Organisation for the Prohibition of Chemical Weapons (OPCW);
- Play a leadership role in fora including the Nuclear Security Summit (NSS), Global Initiative to Combat Nuclear Terrorism, and the G8 Global Partnership (GP) against the Spread of Materials and Weapons of Mass Destruction; and
- strengthen enforcement of export control regimes, and adoption, development and implementation of new initiatives and regimes: Comprehensive Test Ban Treaty (CTBT), an Arms Trade Treaty (ATT), and a Fissile Materials Cut-off Treaty (FMCT); and lead by example in terms of our own domestic security practices and export controls.

15. To achieve this, we work to:

- encourage States to improve nuclear and biological security, and ensure that sensitive science and information are not misused for hostile intent;
- disrupt proliferation networks, through helping others to enforce sanctions and export regimes more rigorously;
- support the international community tackling proliferation finance by working with banks to identify front companies and freeze assets;
- prevent the supply of delivery systems; and
- promote the peaceful use of nuclear energy.

How we are effecting change

16. Through our diplomatic network, we work to develop our understanding of and influence on the drivers of policy in priority countries including government, industry and civil society. Our missions to international institutions and organisations in Vienna, New York, Geneva and the Hague play a crucial role in developing, strengthening and upholding the rules-based international system.
17. As one of the vice-chairs of the Resolution 1540 Committee, the UK works with UN Member States to strengthen efforts to promote universal implementation of the resolution.
18. We work with and through International Organisations and initiatives, including the IAEA and the GP, to provide technical and financial support to deliver concrete improvements in the security of materials, knowledge and know-how in partner countries; facilitate debate and deliver training to help build partners' engagement and capacities; and maintain domestic technical and scientific expertise in counter proliferation, arms control and chemical, biological and nuclear security.
19. UK export controls and enforcement capability enable us to maintain a robust and effective national export control regime, and to strengthen international export controls.

UK Counter-Terrorism Strategy (CONTEST)

20. The UK counter terrorism effort is directed by the National Security Council and coordinated by the Office for Security and Counter-Terrorism (OSCT) in the Home Office. The Government's counter-terrorism strategy, CONTEST, is structured around four key delivery areas:
 - Pursue: to detect, prosecute and disrupt terrorists planning attacks
 - Prevent: to stop people becoming terrorists or supporting terrorism
 - Protect: to strengthen our protection against a terrorist attack
 - Prepare: to mitigate the impact of a terrorist attack
21. OSCT coordinates domestic and international work streams designed to protect the UK from terrorism, including using science and technology to counter the threat from terrorism, and supporting the UK security industry to export products and expertise to other countries.

II. UK Implementation of Resolution 1540 (2004)

Nuclear security

22. In addition to taking an active role in international initiatives and fora such as the Global Initiative to Combat Nuclear Terrorism and the Nuclear Security Summit, the UK works to strengthen global nuclear security by supporting international efforts to:

- improve the security globally of nuclear material;
- reduce the number of sites containing nuclear material;
- prevent the acquisition of proliferation-relevant information and expertise by terrorists;
- promote adherence to relevant international conventions;
- assist States' full implementation of Resolution 1540; and
- provide expertise to support the IAEA's nuclear security programme.

Non proliferation

23. The UK is working towards nuclear disarmament and is one of 189 states which have signed the Nuclear Non-Proliferation Treaty. The treaty aims to stop the spread of nuclear weapons and ultimately eliminate them. The UK fully supports the treaty's goal of non-proliferation; nuclear disarmament and the peaceful use of nuclear technology and energy.

Domestic Nuclear Security

Civil Nuclear Industry

The UK has in place a robust regulatory framework to ensure security in the civil nuclear industry, including protecting against the theft of nuclear material.

24. The independent security regulator, the Office for Nuclear Regulation (ONR), requires industry to put in place security measures which ONR must approve to ensure the protection of:

- nuclear materials held at facilities;
- nuclear materials being transported within the UK, entering and leaving UK ports, and internationally onboard UK ships;
- sensitive nuclear information relevant to security of nuclear facilities and nuclear material during transport; and

- proliferation-sensitive nuclear information and technology.
25. Armed police officers from the Civil Nuclear Constabulary protect the most sensitive civil nuclear sites and nuclear materials being transported.
26. In addition, there are a range of criminal offences in place to help ensure security in the civil nuclear industry. These include making unauthorised disclosures of proliferation-sensitive uranium enrichment technology, and trespassing on a licensed nuclear site. These offences have criminal penalties attached to them, including prison sentences, which act to deter potential offenders.
27. In 2011 a team of nuclear security experts led by the IAEA visited the UK. This International Physical Protection Advisory Service (IPPAS) Mission assessed the UK's legal and regulatory framework for the protection of nuclear material and nuclear facilities, as well as compliance with the International Convention on the Physical Protection of Nuclear Materials and the IAEA's guidelines on nuclear security. The Mission concluded that civil nuclear security in the UK is robust.

Non-civil nuclear industry

28. The UK applies the same rigour to enforcing compliance to prevent the theft or sabotage of non-civil nuclear materials as it does to the civil nuclear industry.
29. The MOD Police and the Armed Forces perform an equivalent role to the Civil Nuclear Constabulary at military sites. Non-civil site security is in line with guidance for the protection of civil material such as IAEA's INFCIRC/225/Rev5.
30. The UK works closely with international partners to ensure the application of common international security standards, for example through joint security reviews and best practice exchanges.

Chemical weapons

31. The CWC bans the development, production, stockpiling, transfer and use of chemical weapons. The UK has signed and ratified the CWC and implements fully all obligations under the CWC's verification regime; including the submission of annual declarations to the OPCW and the facilitation of inspections at UK chemical industry and defence sites by OPCW inspectors.

32. The UK supports the destruction of remaining global chemical weapons stocks and works to encourage full national implementation of the CWC by all states.

Biological weapons

33. The purpose of the BTWC is to prevent states acquiring or keeping biological and toxin weapons, and to prevent them ever being used by states or terrorists. The UK has signed and ratified the BTWC.

34. The BTWC does not have a verification system to establish States' compliance. To demonstrate compliance, the UK submits data, declarations and details of confidence-building measures to the United Nations Office for Disarmament Affairs (UNODA).

State programmes

35. The existence of an international legal framework supported by a range of conventions and treaties is not, on its own, sufficient to dissuade some countries from seeking to develop, produce or, in some cases sell WMD. The UK works through international groupings and organisations to seek peaceful means to reduce the threat posed by, among others, the nuclear programmes of Iran and the Democratic People's Republic of Korea, as well as working to address issues arising from Syria's possession of chemical weapons.

36. The UK separately works to dissuade businesses and individuals from supporting the activity of the networks that support them.

Global Partnership

37. The G8 Global Partnership (GP) against the Spread of Materials and Weapons of Mass Destruction is a multilateral non-proliferation initiative. Established in 2002, the GP coordinates programmes of work to prevent terrorists and other proliferators from acquiring chemical, biological, radiological and nuclear weapons and materials of mass destruction.

38. The UK continues to make a major contribution to the GP and as part of the UK's G8 Presidency in 2013 held the Chair of the GP.

39. Under the UK Presidency, the GP established mechanisms to better match GP partners' funds and expertise with specific security requirements, and improve project coordination and implementation. We also held an outreach event with 1540 Committee experts to encourage universal reporting by States (in line with resolution obligations).

Global Threat Reduction Programme

40. The Global Threat Reduction Programme (GTRP) provides the UK's largest contribution to the GP. We are working on GTRP programmes that aim to:

- improve the security of fissile materials;
- reduce the number of sites containing sensitive nuclear and radiological material and improve security of remaining sites;
- reduce the risks in the proliferation of biological expertise and materials; and
- prevent terrorists acquiring proliferation-relevant information and expertise.

41. The FCO is responsible for GTRP policy and oversees the programme as lead of the National Counter Proliferation Strategy framework. DECC delivers the nuclear and radiological security parts of the programme and MOD manages the chemical weapon destruction and biological elements of the programme.

42. DECC and MOD have in-house teams that oversee management of the GTRP portfolio. DECC uses industry expertise, appointed under international competitive tender in accordance with government and EU procurement rules, to manage the project and associated risks and provide technical assistance.

43. The UK resources to support and strengthen the IAEA's work, currently up to £3M per year, come through the GTRP.

Academic Technology Approval Scheme

44. In the UK the Academic Technology Approval Scheme (ATAS) is responsible for stopping the spread of knowledge and skills from academic programmes that could be used in the proliferation of Weapons of Mass Destruction (WMD) and their means of delivery.

45. Academic institutions have a mandatory obligation to comply with UK visa requirements. Obtaining a certificate under the scheme is a requirement for all students applying for student visas and intending to enter or remain in the UK for more than six months to undertake post-graduate studies or research in certain designated subjects.

Protecting borders

46. Border Force (BF) is the part of the Home Office responsible for securing the UK's borders. BF has a radiological and nuclear detection capability known as Cyclamen.
47. Cyclamen uses a combination of both fixed and mobile equipment to screen vehicles, containers, airfreight and pedestrians for the presence of radioactive and nuclear material.
48. The Customs and Excise Management Act (1979) gives HMRC and BF officers, police, coastguard or armed forces the power (subject to rights of innocent passage through territorial waters under the UN Convention on the Law of the Sea) to stop and search vehicles or vessels on suspicion of carrying prohibited goods.
49. Customs officers have the power to require information in relation to goods imported or exported. Where there are grounds to believe that a declaration as to the ultimate destination of the goods is false, the goods may be detained and/or seized and ultimately they may be forfeited.
50. BF has placed measures on the HMRC Customs Handling of Import and Export Freight (CHIEF) system to prevent unlicensed imports of uranium and plutonium. Staff at HMRC's National Clearance Hub will undertake checks on customs import declarations including checking import licenses are present. The National Crime Agency which will be fully operational by December 2013 will take on some of the responsibilities of BF.

Export licensing

51. The UK has joined other governments around the world to pursue collective implementation of export controls to prevent the proliferation of WMD. There are 4 main international export control regimes:
 - The Australia Group, designed to harmonise export control measures aimed at curtailing the proliferation of chemical and biological weapons;
 - The Missile Technology Control Regime (MTCR), which aims to prevent the proliferation of unmanned delivery systems capable of delivering WMD;
 - The Nuclear Suppliers Group (NSG), responsible for agreeing and implementing guidelines for nuclear and nuclear-related exports; and
 - The Wassenaar Arrangement, established to promote transparency and greater responsibility in transfers of conventional arms and sensitive dual-use goods and technologies.

52. The Export Control Organisation (ECO) in BIS is the UK regulatory authority responsible for assessing and issuing strategic export licences to UK exporters.

53. The UK's export control system stems from the international export control regimes, EU and national legislation. BIS is only concerned with controls on strategic goods:

- items that have been specifically designed or modified for military use and their components;
- dual-use items (that can be used for civil or military purposes) which meet certain specified technical standards and some of their components;
- associated technology and software for both of the above;
- goods that might be used for torture or internal repression; and
- designated high activity radioactive sources.

54. Controls also arise from EU Decisions and Regulations giving effect to UN Security Council Resolutions in relation to sanctions agreed against individual states.

Trafficking of Illicit Goods

55. The ECO generally applies the same rules to goods passing through UK ports or airports (transit and transshipments) as to exports from the UK, and to the trade in military goods outside the UK (often referred to as trafficking and brokering) if a UK citizen or company is involved. CBRN materials / items are also controlled on the EU dual use list and, under EU legislation, Brokering Controls are operated on listed dual-use items that is directly applicable to UK law.

56. The ECO generally applies the same rules to goods passing through UK ports or airports (transit and transshipments) as to exports from the UK, and to the trade in military goods outside the UK (often referred to as trafficking and brokering) if a UK citizen or company is involved.

End-use control

57. Licence applications are required under the scope of the export control legislation in circumstances where the exporter knows or suspects that an export of non-listed items may or will be used in connection with WMD.

58. There is a military end-use control for destinations covered by the scope of arms embargoes.

Taking decisions on export licence applications

The ECO assesses licence applications against the Consolidated EU and National Arms Export Licensing Criteria. It consults government departments as part of the licence decision making process, including:

- FCO – on international commitments, human rights and regional security issues;
- MOD – on military capability, security capability and risk of diversion;
- DFID – on development issues; and
- DECC – on energy, nuclear and chemicals issues.

59. The ECO works closely with industry trade associations including the Export Group for Aerospace and Defence and the Joint Electronics and Telecommunications Security Exports Coordinating Committee, a policy forum on legislation with particular emphasis on dual-use exports and the scope and implementation of export controls.

60. The UK updates export controls to reflect both changes in foreign and security policy and in the export control non-proliferation regimes.

Enforcing export and trade controls, sanctions and embargoes

61. As the UK Customs authority, HMRC is responsible for the implementation of EU customs policy, and for UK compliance with EU and international customs obligations. This includes policy responsibility for the enforcement of strategic goods controls, sanctions and embargoes relating to the movement of goods.

62. HMRC develops and manages strategic export and trade controls, and sanctions enforcement policy, in conjunction with the cross-government counter-proliferation community. HMRC has specialist staff carrying out criminal investigations and intelligence management in this area.

63. Checks on customs import and export declarations, and supporting documentation, are conducted by HMRC staff at the National Clearance Hub. This activity includes checks on BIS export licences. UK exporters are audited by HMRC assurance staff who carry out pre-export licence checks on intra-EU transfers of controlled goods. Checks are also carried out on goods in transit and transshipment.

64. HMRC assesses any breach of strategic export controls and takes a range of enforcement actions based on the particular factors of each case. HMRC pursues investigation with a view to prosecution where deliberate breaches of export, trade controls or sanctions occur, and in serious cases involving deliberate exports to sensitive destinations, or cases involving particularly sensitive goods or other aggravating circumstances, for example repeat offences. These types of case will be referred to the Crown Prosecution Service who will determine whether there is sufficient evidence to mount a prosecution, and whether that prosecution is in the public interest.
65. HMRC works with international organisations and partners on global outreach, international assistance and capacity building on customs related matters, and with BIS on outreach to industry

Export Controls Industry Outreach

66. The UK has undertaken various initiatives to strengthen UK industry's understanding of export controls. This includes Project Alpha, run by King's College London for the FCO, which aims to help industry implement export controls.
67. Through the Nuclear Suppliers Group the UK has published a set of good practice steps for companies to use to help reduce the risk of inadvertently supplying nuclear or nuclear-related technology to illicit programmes.

Preventing money laundering and the financing of terrorism

68. The OSCT and HM Treasury are jointly responsible for the UK's counter terrorist finance strategy. The aim is to reduce the terrorist threat to the UK and its interests overseas by:
- preventing terrorists from using common methods to raise funds, or using the financial system to move money;
 - making it harder for terrorist networks to operate and mount attacks by reducing the resources available for propaganda, recruitment, facilitation, training and support of families;
 - targeting the raising and movement of money into and out of the UK by terrorists and disrupting the funding of bodies such as Al Qa'ida;
 - using financial intelligence and financial investigation methods to support counter-terrorist investigations; and
 - implementing asset freezes to prohibit anyone from dealing with the funds or economic resources belonging to, owned, held or controlled by a designated person.

69. HMT leads the UK's contribution to international policy development on anti-money laundering and terrorist finance.
70. Police forces are responsible for investigating money laundering and terrorist financing cases. HMRC, in collaboration with other government departments, investigates the unlicensed export of strategic goods and breaches of sanctions associated with high risk jurisdictions. As part of this work HMRC will also consider investigating potential money laundering offences under the Proceeds of Crime Act.
71. The UK Financial Intelligence Unit (UKFIU) sits within the National Crime Agency (NCA) and has national responsibility for receiving, analysing and disseminating financial intelligence submitted through the Suspicious Activity Reports (SARs) Regime.
72. A SAR is a piece of information which alerts law enforcement that certain client or customer activity (eg. the cash purchase of a high-value asset or a series of large out of character deposits) is in some way suspicious and might indicate money laundering or terrorist financing, which may include financing for proliferation purposes.
73. The UKFIU receives over 200,000 SARs a year. These are used by a wide variety of law enforcement bodies to help investigate all levels and types of criminal activity; from benefit fraud to international drug smuggling, human trafficking to terrorist financing.
74. In many cases there will be no indication to the individual or organisation that submitted a SAR of what the related criminal activity is, as the techniques for money laundering are common across a range of crimes, and a single money launderer may work for many criminals or groups involved in different activities.
75. The Financial Action Task Force (FATF) is the leading inter-governmental body that sets global standards on tackling money laundering and terrorist finance. The UK is a founding member of the FATF and played an instrumental role in its development.
76. Today, the FATF is made up of 34 member states, all of which are evaluated against the 40 recommendations and nine special recommendations to establish their level of compliance and identify areas where improvement is needed.
77. Together with a network of associated regional bodies, the member states meet regularly to review progress being made and address issues of concern.

Domestic Chemical and Biological Security

78. The National Counter Terrorism Security Office (NaCTSO) is a police unit dedicated to counter terrorism and security. Its work is divided into three areas:

- protection of crowded places
- protection of hazardous sites and dangerous substances
- assisting the protection of the critical national infrastructure

79. NaCTSO was empowered to regulate the security of chemical and biological facilities by the Anti-Terrorism, Crime and Security Act 2001.

80. NaCTSO staff can offer specialist advice regarding the security of explosives and pre-cursor chemicals (including fertilisers), pathogens and toxins, radiological sources and other toxic chemicals.

81. They can provide guidance in relation to business continuity, designing out vehicle borne terrorism, the protection of crowded places and reducing opportunities for terrorism through environmental design.

III. Points of Contact

82. The points of contact for issues relating to Resolution 1540 (2004) are as follows.

Mr. James Squire
First Secretary, Political
(Counter Terrorism and Counter-Proliferation)
Permanent Mission of the United Kingdom to the United Nations
Tel: 212-745-9311

Ms. Fiona Blyth
Political Officer
(Counter Terrorism and Counter-Proliferation)
Permanent Mission of the United Kingdom to the United Nations
Tel: 212-745-9224

IV. Guide to United Kingdom Implementation Assistance

83. The United Kingdom recognises that some international partners require assistance to fulfil their obligations to Resolution 1540 (2004). UN Member States are welcome to discuss areas of possible collaboration and assistance via any of the listed points of contact.

Annex 1 – Fourth Report on the Implementation of Security Council Resolution 1540 (2004)

The United Kingdom is pleased to present its fourth report on the implementation of Resolution 1540 (2004). The report provides a comprehensive update on all UK legislation that implements the provisions of the Resolution.

The measures below are grouped by theme. An updated matrix is provided to reference the measures to the relevant operating paragraph of Resolution 1540 (2004).

International conventions, treaties and other instruments

The UK is party to and an active member of a wide range of international instruments relevant to Resolution 1540.

Instrument	Key dates and information
Geneva Protocol of 1925	Signed: 17 June 1925 Ratified: 09 April 1930
International Atomic Energy Agency	Member since July 1957
Antarctic Treaty	Signed: 31 May 1960
Convention on Offences and Certain Other Acts Committed on Board Aircraft	Signed: 14 September 1963 Ratified: 29 November 1968
Outer Space Treaty	Signed: 27 January 1967 Ratified: 10 October 1967
Treaty of Tlatelolco	Signed: 20 December 1967 Ratified: 19 December 1969
Nuclear Non-Proliferation Treaty	Signed: 01 July 1968 Ratified: 27 November 1968
Zangger Committee	Since 1970
Convention for the Suppression of Unlawful Seizure of Aircraft	Signed: 16 December 1970 Ratified: 22 December 1971
Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation	Signed: 23 September 1971 Ratified: 25 October 1973
Seabed Treaty	Signed: 11 February 1972 Ratified: 18 May 1972

Biological and Toxin Weapons Convention	Signed: 10 April 1972 Ratified: 26 March 1975
Euratom Treaty	Since 1973
Nuclear Suppliers Group	Since 1974
Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents	Signed: 13 December 1974 Ratified: 02 May 1979
International Convention Against the Taking of Hostages	Signed: 18 December 1979 Ratified: 22 December 1982
Australia Group	Since June 1985
Missile Technology Control Regime	Since April 1987
Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation	Signed: 26 October 1988 Ratified: 15 November 1990
Convention on the Physical Protection of Nuclear Material	Signed: 13 June 1980 Ratified: 06 September 1991
Convention on the Marking of Plastic Explosives for the Purpose of Detection	Signed: 01 March 1991 Ratified: 28 April 1997
Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation	Ratified: 03 May 1991
Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf	Signed: 03 May 1991 Ratified: 01 March 1992
Chemical Weapons Convention	Signed: 13 January 1993 Ratified: 13 May 1996
Wassenaar Agreement	Since December 1995
Treaty of Rarotonga	Signed: 25 March 1996 Ratified: 19 September 1997
Treaty of Pelindaba	Signed: 11 April 1996 Ratified: 12 March 2001
Comprehensive Nuclear Test Ban Treaty	Signed: 24 September 1996 Ratified: 06 April 1998

International Convention for the Suppression of Terrorist Bombings	Signed: 12 January 1998 Ratified 07 March 2001
International Convention for the Suppression of the Financing of Terrorism	Signed: 10 January 2000 Ratified: 07 March 2001
Hague Code of Conduct	Subscribing since 2002
Proliferation Security Initiative	Since May 2003
International Convention for the Suppression of Acts of Nuclear Terrorism	Signed: 15 September 2005 Ratified: 24 September 2009
Amendment to the Convention on the Physical Protection of Nuclear Material	Ratified: 08 April 2010

Nuclear

Nuclear Safeguards and Electricity (Finance) Act 1978

- Enforces the IAEA Safeguards Agreement with the UK (INFCIRC/263)

Nuclear Materials (Offences) Act 1983

- Implements the Convention on the Physical Protection of Nuclear Material.
- Amendments inserted by the Criminal Justice and Immigration Act 2008 Section 75 & Schedule 17 implement the amendment to the Convention on the Physical Protection of Nuclear Material.

Nuclear Safeguards Act 2000

- Enforces the Additional Protocol to the IAEA Safeguards Agreement with the UK (INFCIRC/263/Add.1).

Anti-Terrorism, Crime and Security Act 2001

- Provides the legal framework to prohibit the development, production and use of nuclear weapons.
- For the purpose of this act, “nuclear weapons” include nuclear explosive devices that are not intended for use as a weapon.
- Section 47 prohibits the use, development, production, possession and transfer of nuclear weapons including the participation in development or production of such weapons.
- Section 50 makes it an offence for anyone to aid, abet, procure, counsel or incite a non-UK national to commit an offence under section 47 outside the UK.

- Section 79 makes it an offence to intentionally or recklessly disclose information which might prejudice the security of nuclear material or a nuclear site. This includes nuclear material anywhere in the world which is being transported to or from a nuclear site or carried on board a UK ship.

Nuclear Industries Security Regulations 2003

- The principal legislation used to regulate the security of the UK civil nuclear industry.
- Implements some parts of the amendment to the Convention on the Physical Protection of Nuclear Material.
- Regulation 4 requires all nuclear sites to have a security plan which describes the standards, procedures and arrangement for a wide variety of security measures that protect facilities, materials, equipment, technology and information.
- Regulation 9 requires personnel mentioned in the security plan to be security vetted.
- Regulation 10 requires responsible persons to submit reports of any security incidents or breaches on nuclear premises.
- Part 3 sets out regulations for the security of nuclear material transported within the UK and outside the UK if carried on UK flagged ships. Carriers of nuclear material must be preapproved and have submitted satisfactory transport security statements. Approval must be obtained for certain individual material movements; the level of detail required depends on the material. Carriers are obligated to report any security incidents or breaches.
- Regulation 22 places duties on persons who have access to sensitive nuclear information to maintain adequate security standards, ensure persons they are responsible for are security vetted and report any security incidents or breaches.
- Amendments made in 2006 extended and strengthened regulation 22.
- Amendments made in 2013 extended the regulations to cover nuclear construction sites. The regulations now apply from the time any activity is carried out on a nuclear construction site under a planning permission or development consent until all nuclear material is removed in decommissioning.

Extradition Act 2003

- Implements part of the amendment to the Convention on the Physical Protection of Nuclear Material.

- Section 193 provides for extradition with those countries with which the UK has no general extradition relations, but who are party to the various international conventions to which the UK is also a party.

Nuclear Safeguards (Notification) Regulations 2004

- Persons engaged in certain nuclear related activities are obligated by these regulations to provide details about themselves and those activities to the ONR Safeguards Office. The details contribute to the declarations made to the IAEA pursuant to the Additional Protocol.

Uranium Enrichment Technology (Prohibition on Disclosure) Regulations 2004

- Makes it an offence to make an unauthorized disclosure of equipment, software or information that can be used for or in support of uranium enrichment. The offence extends to cover UK individuals who commit these acts overseas.
- Disclosures are permitted if they have been granted an export licence or an official authorisation under these regulations.

Energy Act 2004

- Part 1 Chapter 3 establishes the Civil Nuclear Police Authority and sets out the powers of the members of the Civil Nuclear Constabulary.

Serious Organised Crime and Police Act 2005

- Section 128 makes it an offence to trespass onto a nuclear licensed or other designated site.

Commission Regulation (Euratom) No 302/2005

- Sets out the safeguards reporting requirements that are derived from the Euratom Treaty.
- Submissions are made to the European Commission via the ONR.

Terrorism Act 2006

- Implements the International Convention for the Suppression of Acts of Nuclear Terrorism.
- Section 9 prohibits the production and possession, with intention to use, of radioactive materials or devices for the preparation of an act of terrorism or the purposes of terrorism.
- Section 10 makes it an offence to use radioactive materials or devices for the preparation of an act of terrorism or the purposes of terrorism. It also makes it an offence to damage or misuse a nuclear facility such that it

causes a release of radioactive material or increases the risk of such a release.

- Section 11 makes it is an offence for a person to demand that another individual supply them with a radioactive device, material or access to a nuclear facility. It is also an offence to threaten to use such material devices or nuclear facilities.

Chemical

Chemical Weapons Act 1996

- Implements the Chemical Weapons Convention.
- Section 2 prohibits the production, acquisition, possession, development, transfer, use and intention to use chemical weapons and their means of delivery. It also prohibits engaging in military preparations or preparations of a military nature, intending to use a chemical weapon. This offence applies to acts done outside the UK, if committed by a UK national or body incorporated under UK law.
- Section 9 creates offences of wilful obstruction or attempted wilful obstruction of a person entering or searching land, buildings or vehicles for chemical weapons or a person making safe, seizing, removing or destroying a chemical weapon.
- Section 11 prohibits the construction, modification or installation of premises or equipment that will be used to produce chemical weapons.
- Section 19 and 20 make it an offence to use, produce or possess a chemical or precursor listed in schedule 1 of the CWC without a licence. A licence can only be granted for certain uses (peaceful, chemical protection, legitimate military or law enforcement purposes).
- Section 22 provides the power for authorities to gather data that is required by the CWC. It obliges a person to comply if they are sent a request.
- Section 25 creates powers which allow the OPCW to conduct inspections of UK chemical facilities.
- Section 33 requires an annual report on the operation of the Act to be prepared to ensure the effective implementation of the CWC in the UK.

Anti-Terrorism, Crime and Security Act 2001

- Section 50 makes it an offence for anyone to aid, abet, procure, counsel or incite a non-UK national to commit an offence under section 2 of the Chemical Weapons Act 1996 outside the UK.

- Section 113 makes it an offence to use noxious substances or items to intimidate, influence or cause harm to people or property.
- Section 114 makes it an offence to place or send any substance or item with the intention that it will be believed to be a noxious substance that could endanger human life. It is also an offence to knowingly communicate false information that a noxious substance will be in a place that could endanger human life.

Biological

Biological Weapons Act 1974

- Implements the Biological and Toxin Weapons Convention.
- Prohibits the development, production, stockpiling, acquisition and retention of any biological agent or toxin of a type and in a quantity that has no justification for prophylactic, protective or other peaceful purposes. This extends to any means of delivery designed to use these biological agents for hostile purposes.
- In addition makes it an offence to transfer or arrange to transfer any biological agent to another person or arrange for a third party to conduct these activities.
- These offences apply to acts committed outside the UK if carried out by a UK national or a body incorporated under UK Law.

Importation of Animal Pathogens Order 1980

- Prohibits the importation from third countries of animal pathogens and carriers of such animal pathogens, except under licence.
- Licences are conditional and lay down certain requirements, such as the preparation of the material to be imported and its handling and disposal at the laboratory of destination. Restrictions are also placed on domestic transfers of imported material.
- Licences are only issued where laboratories have the necessary operating procedures and facilities to ensure the safe containment, handling and disposal of the pathogens concerned.
- Licensing is administered by DERFA.
- Separate but similar legislation and arrangements apply in Northern Ireland under the Importation of Animal Pathogens Order (Northern Ireland) 1999.

European Commission Directive on Biological Agents (2000/54/EC)

- Requires notification to be given to a competent authority at least 30 days prior to commencement of work with group 2, 3 or 4 biological agents as classified by this directive.

Genetically Modified Organisms (Contained Use) Regulations 2000

- Sets out legal requirements of notification with respect to premises and activities involving Genetically Modified Organisms (GMOs) in containment facilities.
- Regulations 9 to 12 require a person undertaking a range of different genetic modifications to provide advance notification of these activities and additional supporting information.
- Notifications are sent to the Biological Agents Unit of the Health and Safety Executive (HSE).
- Regulation 24A enables information to be withheld from the public register of GM premises and activities, in the interests of national security.

Anti-Terrorism, Crime and Security Act 2001

- Section 50 makes it an offence for anyone to aid, abet, procure, counsel or incite a non-UK national to commit an offence under section 1 of the Biological Weapons Act 1974 outside the UK.
- Section 59 requires the occupier of any premises to inform the Home Office before any substance listed in Schedule 5 to the Act is stored or used there, and to provide notification when this ceases to be the case.
- Section 60 and 61 require the occupiers of relevant premises to furnish the police upon request with details of the measures to secure any Schedule 5 substance or provide details of each person who has access to any part of the premises.
- Section 62 and 63 oblige the occupiers of relevant premises to comply with official requests to implement specific security measures or destroy any dangerous substances if they cannot be secured effectively.
- Section 64 gives the government the power to direct that a named individual must be denied access to any dangerous substance or any related premises.
- Section 113 makes it an offence to use noxious substances or items to intimidate, influence or cause harm to people or property.
- Section 114 makes it an offence to place or send any substance or item with the intention that it will be believed to be a noxious substance that

could endanger human life. It is also an offence to knowingly communicate false information that a noxious substance is in a location that could endanger human life

- Schedule 5 contains a list of pathogens and toxins that are controlled by this act. The list has been amended in 2007 and 2012 to reflect the latest security requirements.
- Part 7 of the Anti-Terrorism, Crime and Security Act 2001 (Extension to Animal Pathogens) Order 2007 extended Part 7 and made major additions to Schedule 5 to cover animal pathogens. Schedule 5 had previously only included pathogens that could be used to cause serious harm to human health.
- Schedule 5 is used by HSE, for national security purposes, as a tool for sifting its public register (of GM premises and activities) to exclude the whereabouts and activity details of those same pathogens and toxins from the public domain.

Control of Substances Hazardous to Health Regulations 2002

- Implements Directive 2000/54/EC.
- Paragraph 5 of Schedule 3 requires an employer to provide forward notification to HSE of use of Groups 2, 3 and 4 biological agents.
- Paragraph 6 of Schedule 3 requires an employer to provide notification to HSE of consignments of Group 4 biological agents to be sent to any other premises at least 30 days in advance. Notification is also required for any Group 4 biological agent that is imported into the United Kingdom.
- HSE's Biological Agents Unit is responsible for collecting and assessing this information.

Transboundary Movement of Genetically Modified Organisms EC Regulation 1946/2003

- Introduces requirements relating to the export and transboundary movement of genetically modified organisms.

Plant Health (England) Order 2005

- Similar but separate legislation applies individually for Wales, Scotland and Northern Ireland. All Orders are based upon EU plant health legislation.
- Controls the importation and storage of certain plants and plant pests which can include pathogens and other organisms which can affect plant health.

- Prohibited activities can be completed under licence. Licensing is administered by FERA.
- Notification must be provided if a person is about to undertake an activity involving plant pests.

Specified Animal Pathogens Order 2008

- Intended to prevent the introduction and spread into the UK of animal pathogens that could cause serious disease or economic loss.
- This order applies only in England. Separate but similar legislation applies individually to Scotland, Wales and Northern Ireland.
- Article 4 prohibits the possession of certain animal pathogens or any carrier containing such a pathogen as well as the transmission of a specified animal pathogen to a carrier. These activities are only permitted under licence. Notification must be provided if a person suspects they possess an animal pathogen without the necessary licence.
- Schedule 2 sets out a range of powers that are granted to the inspectors who enforce this order.
- Licences stipulate the conditions in which an animal pathogen should be handled in order to ensure their safe containment and disposal. Licence conditions are decided on an individual basis but guidelines include measures to physically protect the laboratory and the animal pathogens held within.
- Licensing is administered by DEFRA.

Borders/Customs

Customs and Excise Management Act 1979

- Section 68 makes it an offence to export prohibited or restricted goods as well as transit and transshipment.
- Section 163 allows customs officers, the police, coastguard and armed forces the power (subject to rights of innocent passage through territorial waters under the Law of the Sea Convention) to stop and search a vehicle or vessel where there are reasonable grounds to suspect that the vehicle or vessel has goods subject to duty which has not been paid or secured; in the course of being unlawfully removed from or to any place; and otherwise liable to forfeiture under the customs and excise acts.
- Section 170 makes it an offence to knowingly acquire the import or export of goods which are prohibited or restricted with the intention to evade these controls.

Council Regulation (EEC) No 2913/92

- Establishes the Community Customs Code

Finance Act 1994

- Part I Chapter III sets out enforcement powers of the HMRC in relation to imports and exports.

Exports

Export Control Act 2002

- Grants the power to create a wide range of orders that control the export of goods. For example, the Export Control Order 2008.

Export Control Order 2008

- Consolidates UK export legislation and replaces the now revoked Trade in Goods (Control) Order 2003 and the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 previously reported.
- Implements Council Regulation (EC) No 428/2009 and creates related offences to enforce its provisions.
- Extends UK legislation to additionally cover the export of military items not covered by the EU dual use regulations.

Council Regulation (EC) No 428/2009

- European regulations to set up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. These regulations are enforced by national domestic legislation.
- Extensive control lists in Annex IV for dual use items

Transport

European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR)

- The ADR was signed by the UK on 1 October 1957 and ratified 29 June 1968.
- Chapter 1.10 sets out security prohibitions and requirements for transportation of dangerous goods by road.

Convention Concerning International Carriage by Rail

- Annex C of this convention is referred to as the RID. These are the Regulations Concerning the International Carriage of Dangerous Goods by Rail.
- Chapter 1.10 sets out security requirements similar to the ADR

International Maritime Dangerous Goods Code

- The code is a mandatory legal requirement as part of the UK's adherence to the Safety of Life at Sea Convention.

Dangerous Substances in Harbour Areas Regulations 1987

- Implements the International Maritime Dangerous Goods Code
- Regulation 6 requires advance notification to be issued of any dangerous substance before it can be allowed into a harbour area.

The Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997

- Implements the International Maritime Dangerous Code
- Enforces the requirements of the Code to ensure that notification is given for all dangerous goods before loading or shipping. Further, goods should be packaged, secured and documented as per the specific requirements of the code.

Carriage of Dangerous Goods and Transportable Pressure Equipment Regulations 2009

- Implements the ADR and RID
- Calls for basic security requirements for the transport by road and by rail of CB materials.
- Provisions are for routes, stopping points the necessary training for personnel.
- Regulation 5 requires the ADR prohibitions and restrictions be obeyed.
- Regulation 7 makes some security additions to this.
- Regulation 32 gives authorities the powers to enforce the regulations.

International Civil Aviation Organisation's Technical Instructions for Safe Transport of Dangerous Goods by Air

- Civil Aviation Authority is the United Kingdom's regulatory body in this area.
- Covers the security of dangerous materials (CB) in transit.

Finance

Anti-Terrorism, Crime and Security Act 2001

- ATCSA makes it an offence to finance the proliferation of WMD....
- Allows cash, assets and property to be seized if they are being used for terrorist purposes.
- Increased disclosure obligations on financial institutions. Part 3 and Schedule 2 - Amendments made to the Terrorism Act 2000 enforce these provisions.

Other

Accessories and Abettors Act 1861

- Section 8 makes it an offence to aid, abet, procure or counsel a prohibited activity under any act passed or to be passed. The offender is liable to be punished as if they are a principal offender.
- Section 293 of the Criminal Procedure (Scotland) Act 1995 provides equivalent Scottish legislation.

Official Secrets Act 1989

- Prohibits the unauthorised or improper disclosure of information related to defence or intelligence.
- Defence information could include details of the design, development, production or operation of chemical, biological and nuclear weapons as well as details of the physical storage and security of such weapons, materials, technologies, facilities or documents that contain this information.

Annex 2

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: United Kingdom of Great Britain and Northern Ireland

	Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	YES	if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1	General statement on non-possession of WMD			
2	General statement on commitment to disarmament and non-proliferation	X	European Council Strategy to prevent Proliferation of WMD; fully compliant with commitments under key multilateral non-proliferation treaties and disarmament conventions	pages 3 and 15 of the report
3	General statement on non-provision of WMD and related materials to non-State actors	X	UK stated to have wide range of legislative measures in place to prevent the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, including by non-State actors; does not provide any form of support to non-State actors	pages 2 and 6 of the report
4	Biological Weapons Convention (BWC)	X	Signatory since 10 April 1972; deposit of instrument of ratification on 26 March 1975	pages 4 and 16 of the report page 2 of Addendum 1
5	Chemical Weapons Convention (CWC)	X	Signatory since 13 January 1993; deposit of instrument of ratification on 13 May 1996	page 4 of the report page 2 of Addendum 1
6	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit of instrument of ratification on 01 July 1968	page 4 of the report page 2 of Addendum 1

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

Annex 2

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 and 1673. They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations

7	Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Deposit of instrument of ratification on 06 April 1998	http://unhq-apps-04.un.org/UNODA/TreatyStatus.nsf
8	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Signatory since 13 June 1980; entered into force 06 October 1991	page 10 of the report page 3 of Addendum 1
9	Hague Code of Conduct (HCOC)	X	Subscribing State since 25 November 2002	page 4 of the report page 3 of Addendum 1
10	Geneva Protocol of 1925	X	Deposit of instrument of ratification on 09 April 1930	http://unhq-apps-04.un.org/UNODA/TreatyStatus.nsf
11	International Atomic Energy Agency (IAEA)	X	Since July 1957	pages 13 and 16 of the report page 3 of Addendum 1 page 4 of Addendum 2
12	Nuclear Weapons Free Zone/ Protocol(s)	X	1. Treaty of Tlatelolco 2. Treaty of Rarotonga 3. Treaty of Pelindaba	http://unhq-apps-04.un.org/UNODA/TreatyStatus.nsf
13	Other Conventions/Treaties	X	EURATOM Treaty 3. State Party to 13 +1 UN International Conventions and Protocols against Terrorism, including the International Convention for the Suppression of Terrorist Bombings (07/03/2001), the International Convention for the Suppression of the Financing of Terrorism (07/03/2001), the International Convention for the Suppression of Acts of Nuclear Terrorism (24/09/2009), plus 2005 Amendment to the Convention on the Physical Protection of Nuclear Material (08/04/2010)	page 7 of the report https://www.unodc.org/tldb/pdf/ratification_status_no_access.rtf

Annex 2

14	Other Arrangements	X	1. Nuclear Suppliers Group (NSG) 2. Australia Group (AG) 3. Missile Technology Control Regime (MTCR) 4. Zangger Committee (ZC) 5. Wassenaar Arrangement (WA) 6. Proliferation Security Initiative (PSI)	pages 4, 13 and 18 PSI
15	Other	X	1. EU model non-proliferation clause to be included in future EU-third country - Revised Cotonou Partnership Agreement (the CPA II)	page 3 of the report page 4 of Addendum 2 http://www.acpsec.org/en/conventions/cotonou/cotonou_revised_e.pdf

OP 2 - Biological Weapons (BW)

State: **United Kingdom of Great Britain and Northern Ireland**

	Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce	X	Biological Weapons Act (BWA) 8 February 1974, Chapter 6 - Section 1 (No person shall develop, produce,	X	Biological Weapons Act 8 February 1974, Chapter 6 - Section 1	page 3 of Addendum 1 page 4 of Addendum 2 http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1974/cukpga_19740006_en_1

Annex 2

2	acquire	X	<p>stockpile, acquire or retain— (a)any biological agent or toxin of a type and in a quantity that has no justification for prophylactic, protective or other peaceful purposes; or. (b)any weapon, equipment or means of delivery designed to use biological agents or toxins for hostile purposes or in armed conflict)</p>	X	<p>(Any person contravening this section shall be guilty of an offence and shall, on conviction on indictment, be liable to imprisonment for life)</p>	page 3 of Addendum 1
3	possess	X				page 6 of the report
4	stockpile/store	X				page 3 of Addendum 1
5	develop	X				page 6 of the report
6	transport	X	<p>2. Anti-terrorism, Crime and Security Act (2001) 3. Carriage of Dangerous Goods Regulations include security standards of Transport Security and Contingencies (TRANSEC) 4. European Agreement concerning the international Carriage of dangerous goods by road (ADR)</p>	X	<p>2. Anti-terrorism, Crime and Security Act (2001)</p>	<p>page 4 of Addendum 1 page 5 of Addendum 2</p>

Annex 2

7	transfer	<p>X</p> <p>1. Biological Weapons Act (1974) Chapter 6 Section 1 as amended by the Anti-terrorism, Crime and Security Act (2001), Sections 43 and 44(A person shall not— (a)transfer any biological agent or toxin to another person or enter into an agreement to do so, or (b)make arrangements under which another person transfers any biological agent or toxin or enters into an agreement with a third person to do so, if the biological agent or toxin is likely to be kept or used (whether by the transferee or any other person) otherwise than for prophylactic, protective or other peaceful purposes and he knows or has reason to believe that that is the case)</p>	<p>X</p> <p>1. Biological Weapons Act (1974)((Any person contravening this section shall be guilty of an offence and shall, on conviction on indictment, be liable to imprisonment for life) 2. Anti-terrorism, Crime and Security Act (2001), Section 43</p>	<p>page 3 of Addendum 1 page 4 of Addendum 2 http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1974/cukpga_19740006_en_1</p>
---	----------	---	--	--

Annex 2

8	use	X	<p>Anti-terrorism, Crime and Security Act (2001), Section 113 (...involves the use of a noxious substance or other noxious thing - places any substance or other thing in any place- For the purposes of sections 113 and 114 “substance” includes any biological agent and any other natural or artificial substance (whatever its form, origin or method of production).</p>	X	<p>Anti-terrorism, Crime and Security Act (2001), Section 113 (A person guilty of an offence under this section is liable— (a) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum (or both); and (b) on conviction on indictment, to imprisonment for a term not exceeding fourteen years or a fine (or both).</p> <p>page 6 of the report page 3 of Addendum 1 http://www.opsi.gov.uk/acts/acts2001/plain/ukpga_20010024_en_1 <u>2</u></p>
---	-----	---	--	---	--

Annex 2

9	participate as an accomplice in a.m. activities	X	<p>1. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the Biological Weapons Act</p> <p>2. Biological Weapons Act (1974)</p> <p>3. Anti-terrorism, Crime and Security Act 2001, including an offence of aiding, abetting, counselling, procuring or inciting the commission of, or attempting or conspiring to commit, such an offence</p>	X		<p>1. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the Biological Weapons Act</p> <p>2. Biological Weapons Act (1974)</p> <p>3. Anti-terrorism, Crime and Security Act (2001): extraterritorial applicability only</p>	<p>page 7 of the report page 3 of Addendum 1</p>
---	---	---	---	---	--	--	--

Annex 2

10	assist in a.m. activities	X	<p>1. Biological Weapons Act (1974)</p> <p>2. Anti-terrorism, Crime and Security Act (2001): (A person who aids, abets, counsels or procures, or incites, a person who is not a United Kingdom person to do a relevant act outside the United Kingdom is guilty of an offence - section 1 of the Biological Weapons Act 1974 (offences relating to biological agents and toxins)</p> <p>3. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the Biological Weapons Act</p>	X	<p>1. Biological Weapons Act (1974)</p> <p>2. Anti-terrorism, Crime and Security Act (2001): extraterritorial applicability only</p> <p>3. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the Biological Weapons Act</p>	<p>pages 6 and 7 of the report</p> <p>page 3 of Addendum 1</p>
11	finance a.m. activities	X	<p>Anti-terrorism, Crime and Security Act (2001) (for terrorist purposes)</p>	X	<p>1. Anti-terrorism, Crime and Security Act (2001)</p> <p>2. Financial sanctions and criminalizations related to Security</p>	<p>page 3 of Addendum 1</p> <p>page 4 of Addendum 2</p>

Annex 2

					Council sanctions obligations.	
12	a.m. activities related to means of delivery	X	Biological Weapons Act 8 February 1974, Chapter 6 - Section 1 ((b)any weapon, equipment or means of delivery designed to use biological agents or toxins for hostile purposes or in armed conflict)	X	Biological Weapons Act (1974)	page 6 of the report
13	involvement of non-State actors in a.m. activities	X	Biological Weapons Act (1974)	X	Anti-terrorism, Crime and Security Act (2001): extraterritorial applicability	page 6 of the report
14	Other					

OP 2 - Chemical Weapons (CW)

State: **United Kingdom of Great Britain and Northern Ireland**

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can	<u>N</u> ational legal framework	<u>E</u> nforcement: civil/criminal penalties and others	Remarks
--	----------------------------------	--	---------

Annex 2

violators be penalized ?		YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce	X	Chemical Weapons Act (1996), Art.2 (Use etc. of chemical weapons .No person shall— (a) use a chemical weapon; . (b) develop or produce a chemical weapon; . (c) have a chemical weapon in his possession; . (d) participate in the transfer of a chemical weapon; . (e) engage in military preparations, or in preparations of a military nature, intending to use a chemical weapon.	X	Chemical Weapons Act (1996), Art.2 (A person contravening this section is guilty of an offence and liable on conviction on indictment to imprisonment for life)	page 4 of Addendum 1 page 4 of the Addendum 2
2	acquire	X		X		
3	possess	X		X		page 6 of the report page 4 of Addendum 2 <u>Chemical Weapons Act</u>
4	stockpile/store	X		X		page 4 of Addendum 1 page 4 of Addendum 2
5	develop	X		X		page 6 of the report page 4 of Addendum 2

Annex 2

6	transport	X	<p>1. Chemical Weapons Act (1996) as amended by Anti-terrorism, Crime and Security Act (2001) Section 46 (Proceedings for a chemical weapons offence may be instituted by order of the Commissioners of Customs and Excise if it appears to them that the offence has involved the movement of a chemical weapon into or out of any country or territory)</p> <p>3. Carriage of Dangerous Goods Regulations include security standards of Transport Security and Contingencies (TRANSEC)</p> <p>4. European Commission security measures for rail and road transports.</p>	X	<p>Chemical Weapons Act (1996) as amended by the Anti-terrorism, Crime and Security Act (2001)</p>	<p>page 4 of Addendum 1 page 5 of Addendum 2 http://www.opsi.gov.uk/acts/acts2001/ukpga_20010024_en_1</p>
7	transfer	X	<p>Chemical Weapons Act (1996), Art.2</p>	X	<p>Chemical Weapons Act (1996), Art.2</p>	<p>page 4 of Addendum 1 page 4 of Addendum 2</p>

Annex 2

8	use	X	Chemical Weapons Act (1996), Art.2 as amended by the Anti-Terrorism, Crime and Security Act (2001), Section113(...involves the use of a noxious substance or other noxious thing - places any substance or other thing in any place- For the purposes of sections 113 and 114 "substance" includes any biological agent and any other natural or artificial substance (whatever its form, origin or method of production).	X	Chemical Weapons Act (1996), Art.2 as amended by Anti-Terrorism, Crime and Security Act (2001), Section113	page 6 of the report page 4 of Addendum 2
9	participate as an accomplice in a.m. activities	X	1. Anti-terrorism, Crime and Security Act (2001) 2. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the ATCSA (2001)	X	1. Anti-terrorism, Crime and Security Act (2001)	page 7 of the report page 4 of Addendum 1 page 5 of Addendum 2 <u>ATCSA</u>
10	assist in a.m. activities	X		X	2. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the ATCSA (2001)	pages 6 and 7 of the report page 4 of Addendum 1 page 5 of Addendum 2

Annex 2

11	finance a.m. activities	X	Anti-terrorism, Crime and Security Act (2001)	X	1. Anti-terrorism, Crime and Security Act (2001) 2. Financial sanctions and criminalizations related to Security Council sanctions obligations.	page 3 of Addendum 1 page 4 of Addendum 2
12	a.m. activities related to means of delivery	X	Chemical Weapons Act (1996)	X	Chemical Weapons Act (1996)	page 6 of the report
13	involvement of non-State actors in a.m. activities	X	Chemical Weapons Act (1996)	X	Anti-terrorism, Crime and Security Act (2001): extraterritorial applicability	page 6 of the report
14	Other					

OP 2 - Nuclear Weapons (NW)

State: **United Kingdom of Great Britain and Northern Ireland**

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can	<u>N</u> ational legal framework	<u>E</u> nforcement: civil/criminal penalties and others	Remarks
--	----------------------------------	--	---------

Annex 2

violators be penalized ?		YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce	X	Anti-terrorism, Crimes and Security Act (2001) - ATCSA, Art. 47 (A person who develops or produces, or participates in the development or production of, a nuclear weapon; (c) has a nuclear weapon in his possession; (d)participates in the transfer of a nuclear weapon; or (e)engages in military preparations, or in preparations of a military nature, intending to use, or threaten to use, a nuclear weapon, is guilty of an offence.	X	Anti-terrorism, Crimes and Security Act (2001) - ATCSA, Art. 47 (A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life)	page 4 of Addendum 1 page 4 of Addendum 2 <u>ATCSA</u>
2	acquire	X		X		
3	possess	X		X		
4	stockpile/store	X		X		
5	develop	X		X		
						page 7 of the report
						page 4 of Addendum 1
						page 7 of the report

Annex 2

6	transport	X	Regulations by Office for Civil Nuclear Security (OCNS) in accordance with Nuclear Industries Security Regulations (NISR) 2003.	X	Anti-terrorism, Crimes and Security Act (2001)	page 4 of Addendum 1 page 4 of Addendum 2
7	transfer	X	Anti-terrorism, Crimes and Security Act (2001)	X	Anti-terrorism, Crimes and Security Act (2001)A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life	page 4 of Addendum 1
8	use	X	Anti-terrorism, Crimes and Security Act (2001), Art. 47 (causes a nuclear weapon explosion)	X	Anti-terrorism, Crimes and Security Act (2001)A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life	page 7 of the report page 4 of Addendum 1

Annex 2

9	participate as an accomplice in a.m. activities	<p>X</p> <p>1. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the ATCSA</p> <p>2. Anti-terrorism, Crimes and Security Act (2001)Anti-terrorism, Crimes and Security Act (2001) - ATCSA, Art. 47 (A person who develops or produces, or participates in the development or production of, a nuclear weapon; (c) has a nuclear weapon in his possession; (d)participates in the transfer of a nuclear weapon; or (e)engages in military preparations, or in preparations of a military nature, intending to use, or threaten to use, a nuclear weapon,is guilty of an offence.</p>	<p>X</p> <p>1. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the ATCSA</p> <p>2. Anti-terrorism, Crimes and Security Act (2001)A person guilty of an offence under this section is liable on conviction on indictment to imprisonment for life</p>	<p>page 7 of the report page 4 of Addendum 1</p>
---	---	---	--	--

Annex 2

10	assist in a.m. activities	X	1. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the ATCSA 2. Anti-terrorism, Crimes and Security Act (2001)	X	1. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the ATCSA 2. Anti-terrorism, Crimes and Security Act (2001)	page 7 of the report page 4 of Addendum 1
11	finance a.m. activities	X	Anti-terrorism, Crime and Security Act (2001)	X	1. Anti-terrorism, Crime and Security Act (2001) 2. Financial sanctions and criminalizations related to Security Council sanctions obligations.	page 3 of Addendum 1 page 4 of Addendum 2
12	a.m. activities related to means of delivery	X	Anti-terrorism, Crimes and Security Act (2001)	X	Anti-terrorism, Crimes and Security Act (2001)	page 4 of Addendum 1
13	involvement of non-State actors in a.m. activities	X		X		page 7 of the report page 4 of Addendum 1
14	Other					

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials

Annex 2

State: **United Kingdom of Great Britain and Northern Ireland**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
			if YES, indicate source document		if YES, indicate source document	
1	Measures to account for production	X	1. Regulation (EC) n. 851/2004 of the European Parliament and the Council of 21 April 2004 establishing an European Centre for Disease Prevention and Control, Article 3 defines the mission to include	X	1. The ECDC has established a biorisk expert group project in addition to coordinating “laboratory biosafety and biosecurity efforts across Europe” as part of its Microbiology Cooperation – Biosafety mission and projects	page 6 of Addendum 1 page 5 of Addendum 2 <u>ATCSA</u>
2	Measures to account for use	X	identification and assessment of emerging threats, including the collection of relevant data and coordinate public	X	2.	

Annex 2

3	Measures to account for storage	X	health services surveillance networks 2. Anti-terrorism, Crimes and Security Act (2001), Section 59: notify Home Office of holding/use of any Schedule 5 biological agent or toxin. Schedule 5 to the Anti-terrorism, Crime and Security Act 2001 (Modification) Order 2007.	X	Department of Health and Health Protection Agency 3. Anti-terrorism, Crimes and Security Act (2001), Section 59: notify Home Office of holding/use of any Schedule 5 biological agent or toxin. Schedule 5 to the Anti-terrorism, Crime and Security Act 2001 (Modification) Order 2007.
4	Measures to account for transport	X	Council Directives 94/55/EEC and 96/49/EEC The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 ("CDG 2009"), SI 2009 No 1348 [1],	X	The Regulations implement ADR[2] 2009 page 6 of Addendum 1 page 5 of Addendum 2 BWC/MSP/2008/MX/WP.16 http://www.hse.gov.uk/cdg/regs.htm

Annex 2

			came into force on 1 July 2009			
5	Other measures for accounting					
6	Measures to secure production	X	1. Directive 2000/54/EC 2. Regulation (EC) n. 851/2004 of the European Parliament and the Council of 21 April 2004 establishing an European Centre for Disease Prevention and Control	X	1. The ECDC has established a biorisk expert group project in addition to coordinating "laboratory biosafety and biosecurity efforts across Europe" as part of its Microbiology Cooperation – Biosafety mission and projects	pages 8 and 10 of the report page 5 of Addendum 2 BWC/MSP/2008/MX/WP.16 http://www.ecdc.europa.eu/en/Pages/home.aspx
7	Measures to secure use	X	3. Anti-terrorism, Crime and Security Act (2001), Section 59: notify Home Office of holding/use of any Schedule 5 biological agent or toxin	X		
8	Measures to secure storage	X	4. Statutory Instrument 2007, No. 926, The part 7 of the Anti-terrorism, Crime and Security Act 2001 (Extension to Animal Pathogens)	X	2. Department of Health and Health Protection Agency 3. Anti-terrorism, Crime and Security Act (2001): notify	

Annex 2

			Order 2007 5. Anti-terrorism, Crimes and Security Act, as amended by the Order 2007: security of the toxins and pathogens listed in Schedule 5 (harmful for human and animal health)		police of holding of specified disease- causing micro- organisms and toxins and to comply with security requirements imposed by authorities	
9	Measures to secure transport	X	1. Regulation 24 of the Carriage of Dangerous Goods by Road Regulations (1996) as amended 2. The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 ("CDG 2009"), SI 2009 No 1348 [1], came into force on 1 July 2009 3. Code of Practice for the security of dangerous goods by road	X	1. Carriage of Dangerous Goods and Use of Transportabl e Pressure Equipment Regulations 2004 2. Party to ADR and RID Party to ADR and RID agreements	pages 9 and 10 of the report page 10 of the EU report BWC/MSP/2008/MX/WP.16

Annex 2

10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports	X	The National Counter Terrorism Security Office (NaCTSO) is a police unit co-located with the Centre for the Protection of the National Infrastructure (CPNI)	X	Overseen by the National Counter Terrorism and Security Office whose staff can offer specialist advice regarding the security of explosives and precursor chemicals (including fertilisers), pathogens and toxins, radiological sources and other toxic chemicals.	page 8 of Addendum 1 http://www.nactso.gov.uk/default.aspx

Annex 2

12	Licensing/registration of facilities/persons handling biological materials	X	<p>1. European Commission Directive on Biological agents 2000/54/EC</p> <p>2. Control of Substances Hazardous to Health (COSHH) regulations</p> <p>3. Genetically Modified Organisms (Contained Use) Regulations (2000)</p> <p>4. Specified Animal Pathogens Order (1998) SAPO</p> <p>5. Plant Health (Great Britain) Order (1933)</p> <p>6. European Commission Directive 95/44/EC</p> <p>7. Anti-terrorism, Crime and Security Act (2001), Part 7 Art. 59: duty to notify Secretary of State before keeping or using dangerous substances</p>	X	<p>1. Anti-terrorism, Crime and Security Act (2001), Part 7 Art. 67</p> <p>2. The Specified Animal Pathogens Order (SAPO) 2008 provides a legal basis for the formal transfer of the inspection and enforcement role for this legislation from the Department for Environment, Food and Rural Affairs, the Veterinary Laboratories Agency and local authorities to the Health and Safety Executive (HSE). The legislation</p> <p>pages 8 and 9 of the report BWC/MSP/2008/MX/WP.16 <u>ATCSA</u></p>
----	--	---	---	---	---

Annex 2

					came into effect on 28 April 2008.	
13	Reliability check of personnel	X	Anti-terrorism, Crime and Security Act (2001): furnish police on request with details of persons with access to specified dangerous substances	X	Home Secretary to direct that named individuals must not be allowed access	page 10 of the report
14	Measures to account for/secure/ physically protect means of delivery	X	Means of delivery are prohibited under Biological Weapons Act	X	Means of delivery are prohibited under Biological Weapons Act	page 6 of Addendum 1

Annex 2

15	Regulations for genetic engineering work	X	<p>1. Genetically Modified Organisms (Contained Use) Regulations (2000)</p> <p>2. Genetically Modified Organisms (Contained Use) (Amendment) Regulations 2002</p>	X	<p>1. Genetically Modified Organisms (Contained Use) Regulations (2000)</p> <p>2. Genetically Modified Organisms (Contained Use) (Amendment) Regulations 2002</p> <p>page 9 of the report pages 5 and 6 of Addendum 1 BWC/MSP/2008/MX/WP.16</p>
16	Other legislation/ regulations related to safety and security of biological materials	X	<p>1. Control of Substances Hazardous to Health Regulations 2002 (as amended), regulation 7(10) Schedule 3 para.6</p> <p>2. Transboundary Movements of Genetically Modified Organisms Regulation 1946/2003</p>	X	<p>1. Control of Substances Hazardous to Health Regulations 2002 (as amended), regulation 7(10) Schedule 3 para.6</p> <p>2. Transboundary Movements of Genetically Modified Organisms Regulation 1946?2003</p> <p>page 6 of Addendum 1</p>

Annex 2

17	Other					
<p>OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials</p> <p style="text-align: right;">State: United Kingdom of Great Britain and Northern Ireland</p>						
Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	1. Chemical Weapons Act (1996) Sections 19 (restriction on use) and 20 (licence granted by the Secretary of State). Licence holders are required to account for their production, use and stocks of any Schedule 1 chemicals on their site. 2. CWC National	X	Chemical Weapons Act (1996)	page 8 of the report page 6 of Addendum 1 page 6 of Addendum 2 <u>Chemical Weapons Act</u>
2	Measures to account for use	X		X	Chemical Weapons Act (1996)	
3	Measures to account for storage	X		X	Chemical Weapons Act (1996)	

Annex 2

			Authority inspects and maintains accounts for all Schedule 1,2 and 3 chemicals		
4	Measures to account for transport	X	1. Council Directives 94/55/EEC and 96/49/EEC 2. The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 ("CDG 2009"), SI 2009 No 1348 [1], came into force on 1 July 2009	X	The Regulations implement ADR[2] 2009 page 6 of Addendum 1 page 5 of Addendum 2 http://www.hse.gov.uk/cdg/regs.htm

Annex 2

5	Other measures for accounting	X	<p>Chemical Weapons Act (1996) Restriction on use etc .(1) Subject to section 20 (which relates to licences) no person shall— . (a) use a Schedule 1 toxic chemical or precursor for a permitted purpose, or . (b) produce or have in his possession a Schedule 1 toxic chemical or precursor with the intention that it will be used for a permitted purpose. . (2) A Schedule 1 toxic chemical or precursor is a toxic chemical or precursor listed in Schedule 1 to the annex on chemicals to the Convention; and for ease of reference that Schedule is set out in the Schedule to this Act.</p>	X	<p>Chemical Weapons Act (1996) A person contravening this section is guilty of an offence and liable— . (a) on summary conviction, to a fine of an amount not exceeding the statutory maximum; . (b) on conviction on indictment, to a fine.</p>	
6	Measures to secure production	X	<p>Directive 98/24/EC Chemical Weapons Act (1996)</p>	X	<p>Anti-terrorism, Crime and Security Act</p>	<p>page 10 of the EU report page 10 of the report</p>
7	Measures to secure use	X		X		

Annex 2

8	Measures to secure storage	X		X	(2001): notify police of holding of specified toxins and to comply with security requirements imposed by authorities	
9	Measures to secure transport	X	<p>1. Regulation 24 of the Carriage of Dangerous Goods by Road Regulations (1996) as amended</p> <p>2. Code of Practice for the security of dangerous goods by road</p> <p>3. Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006</p>	X	Party to ADR and RID agreements	<p>pages 9 and 10 of the report</p> <p>page 10 of the EU report</p>

Annex 2

10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports	X	The National Counter Terrorism Security Office (NaCTSO) is a police unit co-located with the Centre for the Protection of the National Infrastructure (CPNI)	X	Overseen by the National Counter Terrorism and Security Office whose staff can offer specialist advice regarding the security of explosives and precursor chemicals (including fertilisers), pathogens and toxins, radiological sources and other toxic chemicals.	page 8 of Addendum 1 http://www.nactso.gov.uk/default.aspx
12	Licensing of chemical installations/entities/use of materials	X	Chemical Weapons Act (1996) Sections 19 (restriction on use) and 20 (licence granted by the Secretary of State)	X	CWC National Authority inspects and maintains accounts	page 8 of the report page 6 of Addendum 1 page 6 of Addendum 2 <u>Chemical Weapons Act</u>
13	Reliability check of personnel	X	Anti-terrorism, Crime and Security Act (2001): furnish police on request with details of persons with access to specified			page 10 of the report

Annex 2

			dangerous substances			
14	Measures to account for/secure/ physically protect means of delivery	X	Means of delivery are prohibited under Chemical Weapons Act Art. 1 definition of a Chemical weapon includes munitions and other devices designed to cause death or harm through the toxic properties of toxic chemicals released by them; (c) equipment designed for use in connection with munitions and devices falling within paragraph	X	Means of delivery are prohibited under Chemical Weapons Act	page 7 of Addendum 1
15	National CWC authority	X	Appropriate procedures to be in place to ensure the chemicals will be used and disposed of in accordance with UK regulations	X	1. Department of Trade and Industry (BERR) 2. Defence Science and Technology Laboratory (Dstl), Chemical and Biological Systems, Porton Down	page 8 of the report pages 6 and 12 of Addendum 1 http://www.opcw.org/fileadmin/OPCW/EC/61/en/ec6104c15crp01e.pdf

Annex 2

					established on 29 Jun 1999 according to Annex 8 of the OPCW 2009 Annual Report on Implementation	
16	Reporting Schedule I, II and III chemicals to OPCW	X	BERR transmits to OPCW	X	BERR transmits to OPCW UK has submitted 13 declarations according to Annex 9 of the OPCW 2009 Annual Report on Implementation	page 8 of the report http://www.opcw.org/fileadmin/OPCW/EC/61/en/ec6104c15crp01e.pdf
17	Account for, secure or physically protect old chemical weapons	X	Accounted for, secured and physically protected at MOD, DSTL Porton Down. Destruction of all old chemical weapons recovered to date was completed in March 2007.	X	OPCW carries out regular inspections	page 7 of Addendum 1 page 6 of Addendum 2
18	Other legislation/regulations controlling chemical materials					

Annex 2

19	Other					
<p>OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials</p> <p style="text-align: right;">State: United Kingdom of Great Britain and Northern Ireland</p>						
Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	1. EURATOM Treaty, Chapter VII Safeguards 2. Commission Regulation (EURATOM) No. 302/2005 3. INFCIRC/263 and Add.1	X	1. Atomic Energy Act, 1946 2. Nuclear Material (Offences) 1983 3. Terrorism Act (2006), Sections 9 and 10	page 8 of the report page 7 of Addendum 1 page 6 of Addendum 2 <u>Terrorism Act</u>
2	Measures to account for use	X		X		
3	Measures to account for storage	X		X		

Annex 2

4	Measures to account for transport	X	Regulations by Office for Civil Nuclear Security (OCNS) in accordance with Nuclear Industries Security Regulations (NISR) 2003.	X	Anti-terrorism, Crimes and Security Act (2001)	page 4 of Addendum 1 page 6 of Addendum 2
5	Other measures for accounting					-
6	Measures to secure production	X	1. Nuclear Industries Security Regulations (2003) 2. EC Directive 96/29/EURATOM of 13 May 1996, Articles 2, 18, 19 and 20	X	1. Protection by Civil Nuclear Constabulary (CNC) - relates only to civil sites/material . 2. The Ministry of Defence Police (MDP) perform a similar job in relation to defence sites/material . 3. Terrorism Act (2006), Section 9 implements the UN convention for the Suppression of Acts of	pages 7 and 8 of Addendum 1 page 6 of Addendum 2

Annex 2

					Nuclear terrorism	
7	Measures to secure use	X	<p>1. Nuclear Industries Security Regulations (2003)</p> <p>2. EC Directive 96/29/EURATOM of 13 May 1996, Articles 2, 18, 19 and 20</p>	X	<p>1. Protection by Civil Nuclear Constabulary (CNC) - relates only to civil sites/material</p> <p>.</p> <p>2. The Ministry of Defence Police (MDP) perform a similar job in relation to defence sites/material</p> <p>.</p> <p>3. Nuclear Material (Offences) Act (1983)</p> <p>4. Terrorism</p>	<p>pages 7 and 8 of Addendum 1</p> <p>page 6 of Addendum 2</p>

Annex 2

					Act (2006), Section 9 implements the UN convention for the Suppression of Acts of Nuclear terrorism	
8	Measures to secure storage	X	1. Nuclear Industries Security Regulations (2003) 2. EC Directive 96/29/EURATOM of 13 May 1996, Articles 2, 18, 19 and 20	X	1. Protection by Civil Nuclear Constabulary (CNC) - relates only to civil sites/material . 2. The Ministry of Defence Police (MDP) perform a similar job in relation to defence sites/material . 3. Nuclear Material (Offences) Act (1983) 4. Terrorism	pages 7 and 8 of Addendum 1 page 6 of Addendum 2 <u>Terrorism Act</u>

Annex 2

					Act (2006), Section 9 implements the UN convention for the Suppression of Acts of Nuclear terrorism	
9	Measures to secure transport	X	1. Nuclear Industries Security Regulations (2003) 2. EC Directives 94/55/EEC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road and 96/49/EEC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail	X	1. OCNS approved security plans required 2. Protection by Civil Nuclear Constabulary 3. F158l. 4. Nuclear Material (Offences) Act (1983)	pages 9 and 10 of the report page 7 of Addendum 2

Annex 2

10	Other measures for securing	X	<ol style="list-style-type: none"> 1. Uranium Enrichment Technology (Prohibition on Disclosure) Regulations 2004 2. Anti-Terrorism, Crime and Security Act 2001 3. Official Secrets Act (1989) 	X	<ol style="list-style-type: none"> 1. Uranium Enrichment Technology (Prohibition on Disclosure) Regulations 2004 2. Anti-Terrorism, Crime and Security Act 2001 3. Official Secrets Act (1989) <p>page 7 of Addendum 1</p>
11	Regulations for physical protection of facilities/materials/ transports	X	<ol style="list-style-type: none"> 1. Nuclear Industries Security Regulations (2003) :UK civil nuclear operators must have approved site security plans covering physical protection. 2. Energy Act (2004) 3. Joint Service Publication 440 	X	<ol style="list-style-type: none"> 1. Office for Civil Nuclear Security (OCNS) under the Health and Safety Executive. 2. Civil Nuclear Constabulary (CNC) 3. Civil Nuclear Police Authority (CNPA) 4. Ministry of defence Police (MDP) for physical security of defence <p>page 10 of the report page 7 of Addendum 2</p>

Annex 2

					sites/material	
12	Licensing of nuclear installations/entities/use of materials	X	1. Nuclear Installations Act (1965) 2. Radioactive Substances Act (1993) 3. Energy Act (2004)	X	Civil Nuclear Constabulary (CNC) is responsible for the protection of civil nuclear sites and nuclear materials on designated UK nuclear licenced sites and transit	page 8 of the EU report page 7 of Addendum 2 <u>Energy Act</u>
13	Reliability check of personnel	X	OCNS carries out vetting	X	Nuclear Industries Security Regulations (2003)	page 7 of Addendum 1
14	Measures to account for/secure/ physically protect means of delivery					
15	National regulatory authority	X	Nuclear Industries Security Regulations (2003)	X	Office for Civil Nuclear Security (OCNS)	page 7 of Addendum 1 page 7 of Addendum 2

Annex 2

16	IAEA Safeguards Agreements	X	1. Safeguards Agreement (IAEA and EURATOM), INFCIRC/263 2. UK Additional Protocol INFCIRC/263. Add.1 in force 30 April 2004	X	1. Nuclear Safeguards and Electricity (Finance) Act, 1978 2. Nuclear Safeguards Act 2000	page 8 of the report page 7 of Addendum 1 page 6 of Addendum 2
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Notification pursuant to GC(47)/RES/7.B	X	Point of Contact: Head, Special Casework Licensing Unit, Export Control Organization - Export Control Organization	http://www-ns.iaea.org/downloads/rw/meetings/code-conduct-signatories.pdf
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	Contributes to Database Programme	X	Office for Civil Nuclear Security (OCNS)	http://www.iaea.org/About/Policy/GC/GC42/Documents/gc42-17.html
19	Other Agreements related to IAEA	X	INFCIRC/254/Rev.6 /Part 1* / 16 May 2003	X	Office for Civil Nuclear Security (OCNS)	http://www.iaea.org/Publications/Documents/Infcircs/2003/infcirc254r6p1.pdf
20	Additional national legislation/regulations related to nuclear materials including CPPNM	X	1. Nuclear Materials (Offences) Act 1983 2. Terrorism Act (2006)	X	1. Nuclear Materials (Offences) Act 1983 2. Terrorism Act (2006)	page 6 of Addendum 2

Annex 2

21	Other	X	1. Uranium Enrichment Technology (Prohibition on Disclosure) Regulations (2004) 2. From 01 July 2005 a comprehensive set of transport security measures (TRANSEC) will become mandatory - relates to non-nuclear material dangerous goods		pages 7 and 9 of the report	
<p>OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of BW including Related Materials</p> <p style="text-align: right;">State: United Kingdom of Great Britain and Northern Ireland</p>						
<p>Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?</p>		<p><u>N</u>ational legal framework</p> <p>if YES, indicate source document</p>		<p><u>E</u>nforcement: civil/criminal penalties, and measures of implementation, etc</p> <p>if YES, indicate source document</p>		<p>Remarks</p>

Annex 2

1	Border control	X	<p>1. Council Regulation 2913/1992 (Community Customs Code)</p> <p>2. Commission Regulation 2454/1993 (Implementing provisions to the Community Customs Code)</p> <p>3. EU Regulation no. 648 of 13 April 2005 (Security Amendment)</p> <p>4. Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community</p> <p>5. Customs and Excise Management Act (1979)</p> <p>6. Finance Act (1994)</p>	X	<p>1. Police</p> <p>2. Security Service</p> <p>3. Immigration</p> <p>4. Customs</p>	<p>pages 3 and 11 of the report</p> <p>page 12 of the EU report</p> <p>page 7 of Addendum 2</p> <p><u>Community Customs Code</u></p>
---	----------------	---	---	---	---	--

Annex 2

2	Technical support of border control measures	X	<p>1. EU Regulation no. 648 of 13 April 2005 (Security Amendment)</p> <p>2. Defence Science and Technology Laboratory (Dstl) provides assistance in conjunction with other Governmental Departments and Agencies</p> <p>3. Ratings advice provided by BERR Technical Assessment Unit</p>	X	Scanners in main ports, X-ray machines and explosive and radioactive detectors	page 9 of Addendum 1 page 7 of Addendum 2
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. Trade in Goods (Control) Order (2003)</p> <p>3. Amendment of the Biological Weapons Act 1974 as amended by the Anti-terrorism, Crime and Security Act (ATCSA) 2001, Sections 43-44</p>	X	<p>1. Trade in Goods (Control) Order (2003)</p> <p>2. Biological Weapons Act 8 February 1974, Chapter 6 - Section 1 as amended by Anti-terrorism, Crime and Security Act (ATCSA) 2001</p>	<p>page 12 of the report</p> <p>page 10 of Addendum 1</p> <p>page 4 of Addendum 2</p> <p>http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1974/cukpga_19740006_en_1</p>

Annex 2

4	Enforcement agencies/authorities	X	<p>1. Customs and Excise Management Act (1979)</p> <p>2. Biological Weapons Act 1974 (Proceedings for a biological weapons offence may be instituted by order of the Commissioners of Customs and Excise if it appears to them that the offence has involved..(b)the movement of any such thing into or out of any country or territory)</p>	X	<p>Customs officers, police, coastguard, armed forces, Restricted Enforcement Unit (REU)</p>	<p>pages 3 and 11 of the report</p>
5	Export control legislation in place	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. Export Control Order n. 3231 (2008)</p> <p>3. Export of Goods, Transfer of Technology and Provision of Technical</p>	X	<p>1. Biological Weapons Act 1974 as amended by the Anti-terrorism, Crime and Security (2001), Section 45</p> <p>2. Export Control Act (2002)</p> <p>3. Export of Goods, Transfer of Technology and Provision</p>	<p>page 12 of the report</p> <p>page 10 of Addendum 1</p> <p>EU Regulation 428/2009</p>

Annex 2

			Assistance (Control) Order 2003- Customs and Excise n. 2764		of Technical Assistance (Control) Order (2003)	
6	Licensing provisions	X	1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 2. Export Control Order n. 3231 (2008) 3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003- Customs and Excise n. 2764	X	1. Export Control Ordern. 3231, Part 6 - Offences, Enforcement and Penalties 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 3. Trade in Goods (Control) Order (2003)	pages 9 and 10 of Addendum 1 page 8 of Addendum 2 Export Control Order 2008
7	Individual licensing	X		X		pages 9 and 10 of Addendum 1 page 8 of Addendum 2 Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003
8	General licensing	X		X		pages 9 and 10 of Addendum 1 page 8 of Addendum 2 Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003

Annex 2

9	Exceptions from licensing	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items - Possibility of National General Authorisation for intra-Community trade</p> <p>2. Export Control Order n. 3231 (2008), Part 2</p>	X	<p>1. An authorisation shall be required for intra-Community transfers of dual-use items listed in Annex IV. Items listed in Part 2 of Annex IV shall not be covered by a general authorisation</p> <p>2. Art. 17 : Transit and Transshipment exemptions and art.18 :Software and technology exceptions</p> <p>Export Control Order 2008</p>
10	Licensing of deemed export/visa	X	<p>1. Council Joint Action of 22 June 2000 concerning the control of technical assistance related to certain military end-uses</p> <p>2. Export Control Order n. 3231 (2008)</p> <p>3. Export of Goods, Transfer of Technology and</p>	X	<p>Since November 2007 the academic technology approval scheme (ATAS) became a mandatory requirement within the</p> <p>pages 9 and 10 of Addendum 1 page 4 of Addendum 2 http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000E0401:EN:HTML</p>

Annex 2

			Provision of Technical Assistance (Control) Order (2003)		rules.	
11	National licensing authority	X	The Export Control Organisation is responsible for issuing export licences for so-called "strategic" goods. This includes a wide range of items including military and dual-use goods, firearms, nuclear, chemical, biological products and much more, as well items that are controlled when transmitted electronically	X	Export Control Organisation (ECO), Department of Business, Enterprise and Regulatory Reform (BERR)	page 3 of the report page 10 of Addendum 1 page 8 of Addendum 2 http://www.berr.gov.uk/policies/export-control-organisation/eco-contact-details

Annex 2

12	Interagency review for licenses	X	Export Control Organisation (ECO), part of the Department for Business, Enterprise and Regulatory Reform (BERR) Other Departments	X	<p>Secretary of State for Business, Innovation and Skills and President of the Board of Trade Minister of State for Universities and Science (attending Cabinet) Minister of State for Further Education, Skills and Lifelong Learning Minister of State for Business and Enterprise Minister for Employment Relations, Consumer and Postal Affairs Parliamentary Secretary for Business, Innovation and Skills Minister for Culture,</p> <p>page 10 of Addendum 1 page 8 of Addendum 2 http://www.berr.gov.uk/ministers</p>
----	---------------------------------	---	--	---	---

Annex 2

					Communications and Creative Industries (jointly with the Department for Culture, Media and Sport)	
13	Control lists	X	Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	1. Export Control Order n. 3231 (2008), Part 2 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 3. Trade in Goods	<u>EU Regulation 428/2009</u>

Annex 2

					(Control) Order (2003)	
14	Updating of lists	X	Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	The lists of dual-use items set out in Annex I and Annex IV shall be updated in conformity with the relevant obligations and commitments , and any modification thereof, that each Member State has accepted as a member of the international non-	<u>EU Regulation 428/2009</u>

Annex 2

					proliferation regimes and export control arrangements, or by ratification of relevant international treaties.	
15	Inclusion of technologies	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. Export Control Order n. 3231 (2008)</p> <p>3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003- Customs and Excise n. 2764</p>	X	DTI Export Licensing & Sanctions - particular circumstances, Art. 3.6	Export Control Order 2008

Annex 2

16	Inclusion of means of delivery	X	1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X		page 12 of the report
17	End-user controls	X	2. Export Control Order n. 3231 (2008) - Part 3 Art. 19 End-use control on technical assistance 3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003-Customs and Excise n. 2764	X	1. Export Control Order n. 3231 (2008) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003-Customs and Excise n. 2764	pages 9 and 10 of Addendum 1
18	Catch all clause	X		X		pages 9 and 10 of Addendum 1
19	Intangible transfers	X		X		page 12 of the report page 10 of Addendum 1
20	Transit control	X	1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 2. Customs and Excise Management Act (1979)	X	Customs and Excise Management Act (1979)	page 11 of the report page 10 of Addendum 1

Annex 2

21	Trans-shipment control	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. Customs and Excise Management Act (1979)</p> <p>3. Open General Transshipment License (OGTL)</p> <p>4. Individual Transshipment License (if consistent with Consolidated Criteria)</p>	X	DTI Export Licensing & Sanctions - particular circumstances, Art. 3.6	page 10 of Addendum 1 page 8 of Addendum 2
22	Re-export control	X	Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	DTI Export Licensing & Sanctions - particular circumstances, Art. 3.6	page 10 of Addendum 1 <u>DTI Export Licensing & Sanctions</u>
23	Control of providing funds					

Annex 2

24	Control of providing transport services	X	Biological Weapons Act 1974 (Proceedings for a biological weapons offence may be instituted by order of the Commissioners of Customs and Excise if it appears to them that the offence has involved..(b)the movement of any such thing into or out of any country or territory)	X	Biological Weapons Act 1974 (Proceedings for a biological weapons offence may be instituted by order of the Commissioners of Customs and Excise if it appears to them that the offence has involved..(b)the movement of any such thing into or out of any country or territory) http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1974/cukpga_19740006_en_1
----	---	---	--	---	---

Annex 2

25	Control of importation	X	<p>1.Regulation (EC) No 648/2005 of the European Parliament and of the Council amending Council Regulation (EEC) No 2913/92 establishing the Community Customs Code</p> <p>2. Importation of Animal Pathogens Order IAPO (1980)</p> <p>3. Plant Health (Great Britain) Order (1993)</p>	X	<p>Customs and Excise Management Act (1979)</p>	<p>pages 9 and 11 of the report</p>
----	------------------------	---	---	---	---	-------------------------------------

Annex 2

26	Extraterritorial applicability	X	<p>1. Biological Weapons Act 1974 (Section 1 applies to acts done outside the United Kingdom, but only if they are done by a United Kingdom person.. (2)Proceedings for an offence committed under section 1 outside the United Kingdom may be taken, and the offence may for incidental purposes be treated as having been committed, in any place in the United Kingdom) Export Control Order n. 3231 (2008) 3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003- Customs and Excise n. 2764 4. Trade in Goods (Control) Order (2003)</p>	X	<p>1. Export Control Order n. 3231 (2008) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003- Customs and Excise n. 2764 3. Trade in Goods (Control) Order (2003)</p>	<p>page 12 of the report page 10 of Addendum 1 http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1974/cukpga_19740006_en_1</p>
----	--------------------------------	---	---	---	--	--

Annex 2

27	Other	X	1. Importation of Animal Pathogens Order IAPO (1980) 2. Plant Health (Great Britain) Order (1993)			
<p>OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of CW including Related Materials</p> <p style="text-align: right;">State: United Kingdom of Great Britain and Northern Ireland</p>						
<p>Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials? Can violators be penalized?</p>		<p><u>N</u>ational legal framework</p>		<p><u>E</u>nforcement: civil/criminal penalties, and measures of implementation, etc</p>		<p>Remarks</p>
			<p>if YES, indicate source document</p>		<p>if YES, indicate source document</p>	

Annex 2

1	Border control	X	<p>1. Council Regulation 2913/1992 (Community Customs Code)</p> <p>2. Commission Regulation 2454/1993 (Implementing provisions to the Community Customs Code)</p> <p>3. EU Regulation no. 648 of 13 April 2005 (Security Amendment)</p> <p>4. Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community</p> <p>5. Customs and Excise Management Act (1979)</p> <p>6. Finance Act (1994)</p>	X	<p>1. Police</p> <p>2. Security Service</p> <p>3. Immigration</p> <p>4. Customs</p>	<p>pages 3 and 11 of the report</p> <p>page 12 of the EU report</p> <p>page 7 of Addendum 2</p> <p><u>Community Customs Code</u></p>
---	----------------	---	---	---	---	--

Annex 2

2	Technical support of border control measures	X	<p>1. EU Regulation no. 648 of 13 April 2005 (Security Amendment)</p> <p>2. Defence Science and Technology Laboratory (Dstl) provides assistance in conjunction with other Governmental Departments and Agencies</p> <p>3. Ratings advice provided by BERR Technical Assessment Unit</p>	X	Scanners in main ports, X-ray machines and explosive and radioactive detectors	page 9 of Addendum 1 page 7 of Addendum 2
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. Trade in Goods (Control) Order (2003)</p> <p>3. Chemical Weapons Act as amended by the Anti-terrorism, Crime and Security Act (ATCSA) 2001, Sections 43-44</p>	X	<p>1. Trade in Goods (Control) Order (2003)</p> <p>2. Biological Weapons Act 8 February 1974, Chapter 6 - Section 1 as amended by Anti-terrorism, Crime and Security Act (ATCSA) 2001</p>	<p>page 12 of the report</p> <p>page 10 of Addendum 1</p> <p>page 4 of Addendum 2</p> <p>http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1974/cukpga_19740006_en_1</p>

Annex 2

4	Enforcement agencies/authorities	X	Customs and Excise Management Act (1979)	X	Customs officers, police, coastguard, armed forces, Restricted Enforcement Unit (REU)	pages 3 and 11 of the report
5	Export control legislation in place	X	1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 2. Export Control Order n. 3231 (2008) 3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003- Customs and Excise n. 2764	X	1. Biological Weapons Act 1974 as amended by the Anti-terrorism, Crime and Security (2001), Section 45 2. Export Control Act (2002) 3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)	page 12 of the report page 10 of Addendum 1 EU Regulation 428/2009
6	Licensing provisions	X	1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and	X	1. Export Control Ordern. 3231, Part 6 - Offences, Enforcement and Penalties 2. Export of	pages 9 and 10 of Addendum 1 page 8 of Addendum 2 Export Control Order 2008
7	Individual licensing	X		X		pages 9 and 10 of Addendum 1 page 8 of Addendum 2 Export of Goods, Transfer of Technology and Provision of Technical

Annex 2

8	General licensing	X	<p>transit of dual-use items</p> <p>2. Export Control Order n. 3231 (2008)</p> <p>3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003- Customs and Excise n. 2764</p>	X	<p>Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)</p> <p>3. Trade in Goods (Control) Order (2003)</p> <p>Assistance (Control) Order 2003</p>
9	Exceptions from licensing	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items - Possibility of National General Authorisation for intra-Community trade</p> <p>2. Export Control Order n. 3231 (2008), Part 2</p>	X	<p>1. An authorisation shall be required for intra-Community transfers of dual-use items listed in Annex IV. Items listed in Part 2 of Annex IV shall not be covered by a general authorisation</p> <p>2. Art. 17 : Transit and Transshipment exemptions and art.18 :Software and technology</p> <p>Export Control Order 2008</p>

Annex 2

					exceptions	
10	Licensing of deemed export/visa	X	<p>1. Council Joint Action of 22 June 2000 concerning the control of technical assistance related to certain military end-uses</p> <p>2. Export Control Order n. 3231 (2008)</p> <p>3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)</p>	X	<p>Since November 2007 the academic technology approval scheme (ATAS) became a mandatory requirement within the Immigration rules.</p>	<p>pages 9 and 10 of Addendum 1</p> <p>page 4 of Addendum 2</p> <p>http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000E0401:EN:HTML</p>

Annex 2

11	National licensing authority	X	The Export Control Organisation is responsible for issuing export licences for so-called "strategic" goods. This includes a wide range of items including military and dual-use goods, firearms, nuclear, chemical, biological products and much more, as well items that are controlled when transmitted electronically	X	Export Control Organisation (ECO), Department of Business, Enterprise and Regulatory Reform (BERR) page 3 of the report page 10 of Addendum 1 page 8 of Addendum 2 http://www.berr.gov.uk/policies/export-control-organisation/eco-contact-details
----	------------------------------	---	--	---	--

Annex 2

12	Interagency review for licenses	X	Export Control Organisation (ECO), part of the Department for Business, Enterprise and Regulatory Reform (BERR) Other Departments	X	<p>Secretary of State for Business, Innovation and Skills and President of the Board of Trade Minister of State for Universities and Science (attending Cabinet) Minister of State for Further Education, Skills and Lifelong Learning Minister of State for Business and Enterprise Minister for Employment Relations, Consumer and Postal Affairs Parliamentary Secretary for Business, Innovation and Skills Minister for Culture,</p> <p>page 10 of Addendum 1 page 8 of Addendum 2 http://www.berr.gov.uk/ministers</p>
----	---------------------------------	---	--	---	---

Annex 2

					Communications and Creative Industries (jointly with the Department for Culture, Media and Sport)	
13	Control lists	X	Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	1. Export Control Order n. 3231 (2008), Part 2 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 3. Trade in Goods (Control) Order (2003)	<u>EU Regulation 428/2009</u>

Annex 2

14	Updating of lists	X	Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	<p>The lists of dual-use items set out in Annex I and Annex IV shall be updated in conformity with the relevant obligations and commitments , and any modification thereof, that each Member State has accepted as a member of the international non-proliferation regimes and export control arrangements, or by ratification of relevant international treaties.</p> <p><u>EU Regulation 428/2009</u></p>
----	-------------------	---	---	---	---

Annex 2

15	Inclusion of technologies	X	1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 2. Export Control Order n. 3231 (2008) - Part 3 Art. 19 End-use control on technical assistance	X	1. Export Control Order n. 3231 (2008) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003-Customs and Excise n. 2764	page 12 of the report
16	Inclusion of means of delivery	X	3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003-Customs and Excise n. 2764	X		pages 9 and 10 of Addendum 1
17	End-user controls	X		X		pages 9 and 10 of Addendum 1
18	Catch all clause	X		X		page 12 of the report page 10 of Addendum 1
19	Intangible transfers	X	1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 2. Customs and Excise Management Act (1979)	X	Customs and Excise Management Act (1979)	page 11 of the report page 10 of Addendum 1

Annex 2

20	Transit control	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. Customs and Excise Management Act (1979)</p> <p>3. Open General Transshipment License (OGTL)</p> <p>4. Individual Transshipment License (if consistent with Consolidated Criteria)</p>	X	DTI Export Licensing & Sanctions - particular circumstances, Art. 3.6	<p>page 10 of Addendum 1</p> <p>page 8 of Addendum 2</p>
21	Trans-shipment control	X	<p>Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p>	X	DTI Export Licensing & Sanctions - particular circumstances, Art. 3.6	<p>page 10 of Addendum 1</p> <p><u>DTI Export Licensing & Sanctions</u></p>
22	Re-export control	X	<p>Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports,</p>	X	DTI Export Licensing & Sanctions - particular circumstances, Art. 3.6	<p>page 10 of Addendum 1</p> <p><u>DTI Export Licensing & Sanctions</u></p>

Annex 2

			transfer, brokering and transit of dual-use items			
23	Control of providing funds					
24	Control of providing transport services	X	Chemical weapons Act 1996 as amended by the Anti-terrorism, Crime and Security Act (2001): Proceedings for a chemical weapons offence may be instituted by order of the Commissioners of Customs and Excise if it appears to them that the offence has involved— (b) the movement of a chemical weapon into or out of any country or territory;			
25	Control of importation	X	1.Regulation (EC) No 648/2005 of the European Parliament and of the Council amending Council Regulation (EEC) No 2913/92 establishing the	X	Customs and Excise Management Act (1979)	pages 8 and 11 of the report

Annex 2

			Community Customs Code 2. Import of Schedule I chemicals requires licence			
26	Extraterritorial applicability	X	1. Export Control Act (2008) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 3. Trade in Goods (Control) Order (2003)	X	1. Export Control Act (2008) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 3. Trade in Goods (Control) Order (2003)	page 12 of the report page 10 of Addendum 1
27	Other					

OP 3 (c) and (d) and related matters from OP 6, and OP 10 - Controls of NW including Related Materials

State: **United Kingdom of Great Britain and Northern Ireland**

Annex 2

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
			if YES, indicate source document		if YES, indicate source document	
1	Border control	X	1. Council Regulation 2913/1992 (Community Customs Code) 2. Commission Regulation 2454/1993 (Implementing provisions to the Community Customs Code) 3. EU Regulation no. 648 of 13 April 2005 (Security Amendment) 4. Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community 5. Customs and Excise Management Act	X	1. Police 2. Security Service 3. Immigration 4. Customs	pages 3 and 11 of the report page 12 of the EU report page 7 of Addendum 2 <u>Community Customs Code</u>

Annex 2

			(1979) 6. Finance Act (1994)		
2	Technical support of border control measures	X	1. EU Regulation no. 648 of 13 April 2005 (Security Amendment) 2. Defence Science and Technology Laboratory (Dstl) provides assistance in conjunction with other Governmental Departments and Agencies 3. Ratings advice provided by BERR Technical Assessment Unit	X	Scanners in main ports, X-ray machines and explosive and radioactive detectors page 9 of Addendum 1 page 7 of Addendum 2

Annex 2

3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. Trade in Goods (Control) Order (2003)</p> <p>3. Chemical Weapons Act as amended by the Anti-terrorism, Crime and Security Act (ATCSA) 2001, Sections 43-44</p>	X		<p>1. Trade in Goods (Control) Order (2003)</p> <p>2. Biological Weapons Act 8 February 1974, Chapter 6 - Section 1 as amended by Anti-terrorism, Crime and Security Act (ATCSA) 2001</p> <p>page 12 of the report page 10 of Addendum 1 page 4 of Addendum 2 http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1974/cukpga_19740006_en_1</p>
4	Enforcement agencies/authorities	X	Customs and Excise Management Act (1979)	X		pages 3 and 11 of the report

Annex 2

5	Export control legislation in place	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. Export Control Order n. 3231 (2008)</p> <p>3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003- Customs and Excise n. 2764</p>	X	<p>1. Biological Weapons Act 1974 as amended by the Anti-terrorism, Crime and Security (2001), Section 45</p> <p>2. Export Control Act (2002)</p> <p>3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)</p>	<p>page 12 of the report</p> <p>page 10 of Addendum 1</p> <p>EU Regulation 428/2009</p>
6	Licensing provisions	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. Export Control Order n. 3231 (2008)</p> <p>3. Export of Goods, Transfer of Technology and Provision of</p>	X	<p>1. Export Control Ordern. 3231, Part 6 - Offences, Enforcement and Penalties</p> <p>2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)</p> <p>3. Trade in</p>	<p>pages 9 and 10 of Addendum 1</p> <p>page 8 of Addendum 2</p> <p>Export Control Order 2008</p>
7	Individual licensing	X		X		<p>pages 9 and 10 of Addendum 1</p> <p>page 8 of Addendum 2</p> <p>Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003</p>
8	General licensing	X		X		

Annex 2

			Technical Assistance (Control) Order 2003- Customs and Excise n. 2764		Goods (Control) Order (2003)	
9	Exceptions from licensing	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items - Possibility of National General Authorisation for intra-Community trade</p> <p>2. Export Control Order n. 3231 (2008), Part 2</p>	X	<p>1. An authorisation shall be required for intra-Community transfers of dual-use items listed in Annex IV. Items listed in Part2 of Annex IV shall not be covered by a general authorisation</p> <p>2. Art. 17 : Transit and Transshipment exemptions and art.18 :Software and technology exceptions</p>	Export Control Order 2008

Annex 2

10	Licensing of deemed export/visa	X	<p>1. Council Joint Action of 22 June 2000 concerning the control of technical assistance related to certain military end-uses</p> <p>2. Export Control Order n. 3231 (2008)</p> <p>3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)</p> <p>2. Official Secrets Act (1989): improper communication of information relating to nuclear weapons and related defence material</p>	X	<p>Since November 2007 the academic technology approval scheme (ATAS) became a mandatory requirement within the Immigration rules.</p> <p>pages 9 and 10 of Addendum 1 page 4 of Addendum 2 http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000E0401:EN:HTML</p>
11	National licensing authority	X	The Export Control Organisation is responsible for issuing export licences for so-called "strategic" goods. This includes a wide range of items including military and dual-use goods, firearms, nuclear, chemical, biological products	X	<p>Export Control Organisation (ECO), Department of Business, Enterprise and Regulatory Reform (BERR)</p> <p>page 3 of the report page 10 of Addendum 1 page 8 of Addendum 2 http://www.berr.gov.uk/policies/export-control-organisation/eco-contact-details</p>

Annex 2

			and much more, as well items that are controlled when transmitted electronically		
12	Interagency review for licenses	X	Export Control Organisation (ECO), part of the Department for Business, Enterprise and Regulatory Reform (BERR) Other Departments	X	Secretary of State for Business, Innovation and Skills and President of the Board of Trade Minister of State for Universities and Science (attending Cabinet) Minister of State for Further Education, Skills and Lifelong Learning Minister of State for Business and Enterprise Minister for page 10 of Addendum 1 page 8 of Addendum 2 http://www.berr.gov.uk/ministers

Annex 2

				<p>Employment Relations, Consumer and Postal Affairs Parliamentary Secretary for Business, Innovation and Skills Minister for Culture, Communications and Creative Industries (jointly with the Department for Culture, Media and Sport)</p>	
13	Control lists	X	<p>Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p>	<p>X</p> <p>1. Export Control Order n. 3231 (2008), Part 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 3. Trade in Goods (Control) Order (2003)</p>	<p><u>EU Regulation 428/2009</u></p>

Annex 2

14	Updating of lists	X	Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	The lists of dual-use items set out in Annex I and Annex IV shall be updated in conformity with the relevant obligations and commitments and any modification thereof, that each Member State has accepted as a member of the international non-proliferation regimes and export control arrangements, or by ratification of relevant international treaties.	<u>EU Regulation 428/2009</u>
15	Inclusion of technologies	X	1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a	X	1. Export Control Order n. 3231 (2008)	page 12 of the report

Annex 2

16	Inclusion of means of delivery	X	Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003-Customs and Excise n. 2764	pages 9 and 10 of Addendum 1
17	End-user controls	X	2. Export Control Order n. 3231 (2008) - Part 3 Art. 19 End-use control on technical assistance	X		pages 9 and 10 of Addendum 1
18	Catch all clause	X	3. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003-Customs and Excise n. 2764	X		page 12 of the report page 10 of Addendum 1
19	Intangible transfers	X	1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 2. Customs and Excise Management Act (1979)	X	Customs and Excise Management Act (1979)	page 11 of the report page 10 of Addendum 1

Annex 2

20	Transit control	X	<p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. Customs and Excise Management Act (1979)</p> <p>3. Open General Transshipment License (OGTL)</p> <p>4. Individual Transshipment License (if consistent with Consolidated Criteria)</p>	X	DTI Export Licensing & Sanctions - particular circumstances, Art. 3.6	page 10 of Addendum 1 page 8 of Addendum 2
21	Trans-shipment control	X	Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	DTI Export Licensing & Sanctions - particular circumstances, Art. 3.6	page 10 of Addendum 1 <u>DTI Export Licensing & Sanctions</u>
22	Re-export control	X	Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering	X	DTI Export Licensing & Sanctions - particular circumstances, Art. 3.6	page 10 of Addendum 1 <u>DTI Export Licensing & Sanctions</u>

Annex 2

			and transit of dual-use items			
23	Control of providing funds					
24	Control of providing transport services					
25	Control of importation	X	Customs and Excise Management Act (1979)	X	Customs and Excise Management Act (1979)	page 11 of the report page 10 of Addendum 1
26	Extraterritorial applicability	X	1. Export Control Act (2008) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 3. Trade in Goods (Control) Order (2003)	X	1. Export Control Act (2008) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 3. Trade in Goods (Control) Order (2003)	page 12 of the report page 10 of Addendum 1
27	Other	X	Uranium Enrichment Technology (Prohibition on Disclosure) Regulations (2004)			
OP 6, 7 and 8 (d) - Control lists, Assistance, Information						

Annex 2

		State:	United Kingdom of Great Britain and Northern Ireland	
Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/equipment/materials/technologies)	X	Member of NSG, AG, MTCR, ZC and WA and maintains and regularly updates detailed national export control lists	page 13 of the report
2	Control lists - other	X	List of pathogens and toxins in schedule 5 of the Anti-Terrorism, Crime and security Act	page 11 of Addendum 1
3	Assistance offered	X	UK is willing to provide assistance as appropriate in response to specific requests from States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the provisions of SCR 1540.	page 14 of the report
4	Assistance requested			
5	Assistance in place (bilateral/plurilateral/multilateral)	X	Bilateral/multilateral and EU work continuing, aimed at providing guidance and technical advice on export control implementation and co-ordination.	pages 11 and 12 of Addendum 1
6	Information for industry	X	The Export Control Advisory committee with representation from trade associations and the government export control community meets regularly to discuss developments and areas of concern. In addition an extensive awareness campaign for industry around the UK continues. 25 seminars and training courses were held nationwide during 2006, attended by over 500 delegates from 180 organisations. Presentations are also given to individual	pages 16 and 17 of the report page 8 of Addendum 2

Annex 2

			companies. Along with a regularly updated website the Exports Control Organisation also maintains a web-based tool, the Goods Checker, to help exporters find out if their products are licensable.	
7	Information for the public	X	Relevant information is disseminated through government web sites, publications and leaflets.	page 17 of the report