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PROPOSAL

from:	Commission/High Representative
dated:	17 February 2012
No Cion doc.:	JOIN(2012) 2 final
Subject:	Joint Proposal for a Council Regulation concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010

Delegations will find attached a proposal from the Commission and the High Representative of the EU for Foreign Affairs and Security Policy, submitted under a covering letter from Mr Jordi AYET PUIGARNAU to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: JOIN(2012) 2 final



EUROPEAN COMMISSION

HIGH REPRESENTATIVE OF THE
EUROPEAN UNION FOR
FOREIGN AFFAIRS AND
SECURITY POLICY

Brussels, 17.2.2012
JOIN(2012) 2 final

2012/0030 (NLE)

Joint Proposal for a

COUNCIL REGULATION

**concerning restrictive measures against Iran and
repealing Regulation (EU) No 961/2010**

EXPLANATORY MEMORANDUM

The EU introduced sanctions against the Islamic Republic of Iran ('Iran') under Regulation (EC) No 423/2007 concerning restrictive measures against Iran, giving effect to Common Position 2007/140/CFSP and implementing the relevant measures provided for under UN Security Council Resolution 1737 (2006). Since then, the EU has expanded sanctions in line with UNSCR 1747 (2006), 1803 (2008) and 1929 (2010) and imposed additional measures targeting Iran's nuclear and ballistic proliferation programme.

On 25 October 2010, the Council adopted Regulation (EU) No 961/2010 on restrictive measures against Iran and repealing Regulation (EC) No 423/2007¹, in order to give effect to Council Decision 2010/413/CFSP². Regulation (EU) No 961/2010 expanded restrictive measures, in particular in the financial and energy sectors, as well as in the transport sector.

In line with the mandate received from the European Council on 9 December 2011, the Council approved, on 23 January 2012, Decision 2012/35/CFSP providing for additional restrictive measures against Iran. Those new restrictive measures comprise, in particular, additional restrictions on trade in dual-use goods and technology, as well as on key equipment and technology which could be used in the petrochemical industry, a ban on the import of Iranian crude oil, petroleum products and petrochemical products, as well as a prohibition of investment in the petrochemical industry. Moreover, trade in gold, precious metals and diamonds with the Government of Iran, as well as the delivery of newly printed banknotes and coinage to or for the benefit of the Central Bank of Iran, should be prohibited. In order to ensure the effective implementation of those measures, lists of sanctioned goods and technology should be provided.

Moreover, Decision 2012/35/CFSP extends the freezing of assets to additional persons, entities or bodies providing support to the Government of Iran as well as to other members of the Islamic Revolutionary Guard Corps (IRGC). Decision 2012/35/CFSP also underlines that the Central Bank of Iran's deceptive practices and attempts at using Iran's financial sector to circumvent the measures require enhanced financial vigilance from EU credit and financial institutions, and provides for the freezing of the assets of the Central Bank of Iran. The Decision however makes clear that this targeted measure should not prevent the continuation of licit trade operations with Iran. The Decision also provides for the freezing of Bank Tejarat's assets, but allows for the phasing out of transactions with that sanctioned entity.

Furthermore, certain technical amendments to existing measures have also become necessary. In particular, the definition of brokering services should be clarified to the effect that it covers brokering from the EU and also applies to related services. The definition of 'transfers of funds' should be revised to include non-electronic transfers, in response to Iran's deceptive practices. The application of freezing measures by providers of financial communication messages should be clarified. The provisions regarding the controls of funds transfers should be reviewed in order to facilitate their application by competent authorities and operators. The restrictions on insurances should be adjusted, notably with a view to clarifying that insurance of diplomatic and consular missions within the EU is permitted under the sanctions. Adjustments should also be made to provisions concerning the liability of operators, the

¹ OJ L 281, 27.10.2010, p. 1.

² OJ L 195, 27.07.2010, p. 39.

prohibition of the circumvention of the restrictive measures and the provision of bunkering and ship supply services.

Furthermore, mechanisms for exchange of information between competent authorities of the Member States and the Commission should also be revised in order to enhance effective implementation of the restrictive measures.

Restrictions on the trade of internal repression equipment, thus far provided for under Regulation (EU) No 961/2010, should be provided for under Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran, which provides for sanctions in response to serious human rights violations.

It is therefore necessary to amend Regulation (EU) No 961/2010 of 25 October 2010 on restrictive measures against Iran. For the sake of clarity, the Commission and the High Representative of the EU for Foreign Affairs and Security Policy propose to replace it by a new, consolidated Regulation.

Joint Proposal for a

COUNCIL REGULATION

**concerning restrictive measures against Iran and
repealing Regulation (EU) No 961/2010**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision 2012/35/CFSP of 23 January 2012 amending Council Decision 2010/413/CFSP concerning restrictive measures against Iran¹,

Having regard to the joint proposal from the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission,

Whereas:

- (1) On 25 October 2010, the Council adopted Regulation (EU) No 961/2010 on restrictive measures against Iran and repealing Regulation (EC) No 423/2007², in order to give effect to Council Decision 2010/413/CFSP³.
- (2) On 23 January 2012, the Council approved Decision 2012/35/CFSP providing for additional restrictive measures against the Islamic Republic of Iran ('Iran') as requested by the European Council on 9 December 2011.
- (3) Those restrictive measures comprise, in particular, additional restrictions on trade in dual-use goods and technology, as well as on key equipment and technology which could be used in the petrochemical industry, a ban on the import of Iranian crude oil, petroleum products and petrochemical products, as well as a prohibition of investment in the petrochemical industry. Moreover, trade in gold, precious metals and diamonds with the Government of Iran, as well as the delivery of newly printed banknotes and coinage to or for the benefit of the Central Bank of Iran, should be prohibited.
- (4) Certain technical amendments to existing measures have also become necessary. In particular, the definition of “brokering services” should be clarified, and the definition of “transfers of funds” should be broadened to non-electronic transfers so as to counter attempts at circumventing the restrictive measures.

¹ OJ L 19 of 24.01.2012, p. 23 .

² OJ L 281, 27.10.2010, p. 1.

³ OJ L 195, 27.07.2010, p. 39.

- (5) The revised restrictive measures concerning dual-use goods should cover all goods and technology set out in Annex I to Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items¹, with the exception of certain items in Part 2 of category 5 thereof in view of their use in public communication services in Iran.
- (6) In order to ensure the effective implementation of the prohibition on the sale, supply, transfer or export to Iran of certain key equipment or technology which could be used in the key sectors of the oil, natural gas and petrochemical industries, lists of such key equipment and technology should be provided.
- (7) For the same reason, lists of items subject to trade restrictions on crude oil and petroleum products, petrochemical products, gold, precious metals and diamonds should also be provided.
- (8) In addition, to be effective, restrictions on investment in the Iranian oil and gas sector should cover certain key activities, such as bulk gas transmission services for the purpose of transit or delivery to directly interconnected grids, and, for the same reason, should apply to joint ventures as well as other forms of associations and cooperation with Iran in the sector of the transmission of natural gas.
- (9) Effective restrictions on Iranian investment in the Union require that measures be taken to prohibit natural or legal persons, entities and bodies subject to the jurisdiction of the Member States from enabling or authorising such investment.
- (10) Decision 2012/35/CFSP also extends the freezing of assets to additional persons, entities or bodies providing support to the Government of Iran, including financial, logistical and material support, or associated with them. The Decision also extends the freezing measures to other members of the Islamic Revolutionary Guard Corps (IRGC).
- (11) Decision 2012/35/CFSP also provides for the freezing of the assets of the Central Bank of Iran. However, in consideration of the specific role played by the Central Bank of Iran in the financing of foreign trade, a derogation for the refinancing of credit and financial institutions is deemed necessary as this targeted financial measure should not prevent trade operations in conformity with the provisions of this Regulation. A derogation for payments to the Central Bank is also required to allow for the execution, in conformity with the provisions of this Regulation, until 1 July 2012, of contracts relating to the import, purchase or transport of oil and petroleum products concluded prior to 23 January 2012.
- (12) It is prohibited, pursuant to the obligation to freeze the assets of Islamic Republic of Iran Shipping Line (IRISL) and of entities owned or controlled by IRISL to load and unload cargoes on and from vessels owned or chartered by IRISL or by such entities in ports of Member States. Moreover, the transfer of ownership of vessels owned, controlled or chartered by IRISL companies to other entities should also be prohibited pursuant to the freezing of IRISL's assets. However, the obligation to freeze the funds and economic resources of IRISL and of entities owned or controlled by IRISL does not require the impounding or detention of vessels owned by such entities or the cargoes carried by them insofar as such cargoes belong to third parties, nor does it require the detention of the crew contracted by them.

¹ OJ L 134, 29.5.2009, p. 1.

- (13) In consideration of Iran's attempts at circumventing the sanctions, it should be clarified that all funds and economic resources belonging to, owned, held or controlled by persons, entities or bodies listed in Annexes I or II of Decision 2010/413/CFSP are to be frozen without delay, including those of successor entities established to circumvent the measures set out in this Regulation.
- (14) It should also be clarified that submitting and forwarding the necessary documents to a bank for the purpose of their final transfer to a person, entity or body that is not listed, to trigger payments allowed under Article 25 of this Regulation, does not constitute making funds available within the meaning of Article 23(3) of this Regulation.
- (15) It should be clarified that funds or economic resources may be released for official purposes of diplomatic or consular missions or international organisations enjoying immunities in accordance with international law, in conformity with the provisions of this Regulation.
- (16) The application of targeted financial sanctions by providers of financial communication services should be clarified, in conformity with the provisions of this Regulation.
- (17) It should be clarified that assets of non-designated persons, entities or bodies held at designated credit and financial institutions should not remain frozen in application of the targeted financial measures and may be released under the conditions provided for in this Regulation.
- (18) In consideration of Iran's attempts at using its financial system for the purpose of circumventing the sanctions, it is necessary to ensure enhanced vigilance in relation to the activities of Iran's credit and financial institutions so as to prevent circumvention of the provisions of this Regulation, including the freezing of the assets of the Central Bank of Iran's. These requirements for credit and financial institutions shall be complementary to existing obligations deriving from Regulation (EC) 1781/2006 of the European Parliament and of the Council of 15 November 2006 on information on the payer accompanying transfers of funds¹ and from the implementation of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing².
- (19) Provisions regarding the controls of funds transfers should be reviewed in order to facilitate their application by competent authorities and operators and to prevent circumvention of the the provisions of this Regulation, including the freezing of the assets of the Central Bank of Iran.
- (20) Furthermore, the restrictions on insurance should be adjusted, notably with a view to clarifying that insurance of diplomatic and consular missions within the EU is permitted under the Regulation, and to allow for the provision of third party liability insurance or environmental liability insurance.
- (21) Besides, the requirement to submit pre-arrival and pre-departure information needs to be updated since this obligation has become generally applicable to all goods entering or leaving the Union's customs territory following the full implementation as from 1 January 2012 of the customs security measures laid down in the relevant provisions concerning entry

¹ OJ L 345, 8.12.2006, p. 1.

² OJ L 309, 25.11.2005, p. 15.

and exit summary declarations in Regulation (EEC) No 2913/92¹ and in Regulation (EEC) No 2454/93².

- (22) Adjustments should also be made to provisions concerning the provision of bunkering and ship supply services, the liability of operators and the prohibition of the circumvention of the restrictive measures.
- (23) The mechanisms for exchange of information between Member States and the Commission should be reviewed so as to ensure the effective and uniform implementation of this Regulation.
- (24) In consideration of its objectives, the ban on internal repression equipment should be provided for under Regulation No (EU) 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran³, rather than under this Regulation.
- (25) For the sake of clarity, Regulation (EU) No 961/2010 should be repealed and replaced by this Regulation.
- (26) The restrictive measures outlined above fall within the scope of the Treaty on the Functioning of the European Union and, therefore, notably with a view to ensuring their uniform application by economic operators in all Member States, legislation at the level of the Union is necessary in order to implement them as far as the Union is concerned.
- (27) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and notably the right to an effective remedy and to a fair trial, the right to property and the right to protection of personal data. This Regulation should be applied in accordance with those rights and principles.
- (28) This Regulation also respects the obligations of Member States under the Charter of the United Nations and the legally binding nature of the United Nations Security Council Resolutions.
- (29) The procedure for the designation of persons subject to freezing measures under this Regulation should include providing designated natural or legal persons, entities or bodies with the grounds for listing, so as to give them an opportunity to submit observations. Where observations are submitted, or substantial new evidence is presented, the Council should review its decision in light of those observations and inform the person, entity or body concerned accordingly.
- (30) For the implementation of this Regulation, and to create maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources must be frozen in accordance with the Regulation, should be made public. Any processing of personal data of natural persons under this Regulation should respect Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and

¹ OJ L 302, 19.10.1992, p. 1

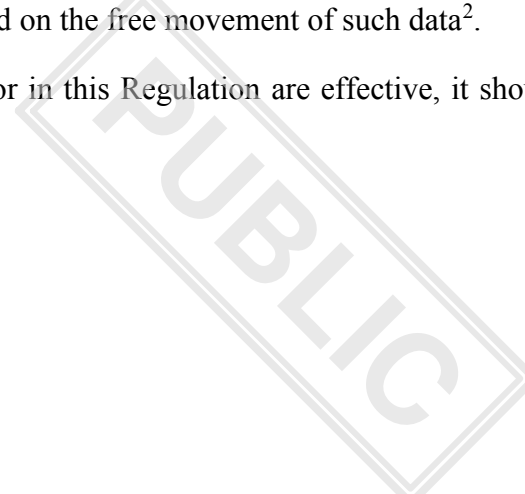
² OJ L 253, 11.10.1993, p. 1.

³ OJ L100, 14.4.2011, p.1

bodies and on the free movement of such data¹ and Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data².

- (31) In order to ensure that the measures provided for in this Regulation are effective, it should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:



¹ OJ L 8, 12.1.2001, p. 1.

² OJ L 281, 23.11.1995, p. 31.

Chapter I

Definitions

Article 1

For the purposes of this Regulation the following definitions shall apply:

- (a) 'branch' of a financial or credit institution means a place of business which forms a legally dependent part of a financial or credit institution and which carries out directly all or some of the transactions inherent in the business of financial or credit institutions;
- (b) 'brokering services' means:
 - (i) the negotiation or arrangement of transactions for the purchase, sale or supply of goods and technology or related services, or of financial services, including from a third country to any other third country, or
 - (ii) the selling or buying of goods and technology or related services, or of financial services, including where they are located in third countries for their transfer to another third country;
- (c) 'claim' means any claim, whether asserted by legal proceedings or not, made before or after the date of entry into force of this Regulation, under or in connection with a contract or transaction, and includes in particular:
 - (i) a claim for performance of any obligation arising under or in connection with a contract or transaction;
 - (ii) a claim for extension or payment of a bond, financial guarantee or indemnity of whatever form;
 - (iii) a claim for compensation in respect of a contract or transaction;
 - (iv) a counterclaim;
 - (v) a claim for the recognition or enforcement, including by the procedure of exequatur, of a judgment, an arbitration award or an equivalent decision, wherever made or given;
- (d) 'contract or transaction' means any transaction of whatever form and whatever the applicable law, whether comprising one or more contracts or similar obligations made between the same or different parties; for this purpose 'contract' includes a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, and credit, whether legally independent or not, as well as any related provision arising under, or in connection with, the transaction;
- (e) 'competent authorities' refers to the competent authorities of the Member States as identified on the websites listed in Annex X;

- (f) 'credit institution' means a credit institution as defined in Article 4(1) of Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions¹, including its branches inside or outside the Union;
- (g) 'customs territory of the Union' means the territory as defined in Article 3 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code² and in Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Regulation (EEC) No 2913/92³;
- (h) 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds, but which may be used to obtain funds, goods or services;

¹ OJ L 177, 30.6.2006, p. 1.

² OJ L 302, 19.10.1992, p. 1.

³ OJ L 253, 11.10.1993, p. 1.

- (i) 'financial institution' means
- (i) an undertaking, other than a credit institution, which carries out one or more of the operations included in points 2 to 12 and points 14 and 15 of Annex I to Directive 2006/48/EC, including the activities of currency exchange offices (*bureaux de change*);
 - (ii) an insurance company duly authorised in accordance with Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II)¹, insofar as it carries out activities covered by that Directive;
 - (iii) an investment firm as defined in point 1 of Article 4(1) of Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments²;
 - (iv) a collective investment undertaking marketing its units or shares; or
 - (v) an insurance intermediary as defined in Article 2(5) of Directive 2002/92/EC of the European Parliament and of the Council of 9 December 2002 on insurance mediation³, with the exception of intermediaries referred to in Article 2(7) of that Directive, when they act in respect of life insurance and other investment related services;
- including its branches inside or outside the Union;
- (j) 'freezing of economic resources' means preventing the use of economic resources to obtain funds, goods or services in any way, including, but not limited to, by selling, hiring or mortgaging them;
- (k) 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;
- (l) 'funds' means financial assets and benefits of every kind, including, but not limited to:
- (i) cash, cheques, claims on money, drafts, money orders and other payment instruments;
 - (ii) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
 - (iii) publicly-and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
 - (iv) interest, dividends or other income on or value accruing from or generated by assets;

¹ OJ L 335, 17.12.2009, p. 1.–

² OJ L 145, 30.4.2004, p. 1.

³ OJ L 9, 15.1.2003, p. 3.

- (v) credit, right of set-off, guarantees, performance bonds or other financial commitments;
- (vi) letters of credit, bills of lading, bills of sale; and
- (vii) documents showing evidence of an interest in funds or financial resources;
- (m) 'goods' includes items, materials and equipment;
- (n) 'insurance' means an undertaking or commitment whereby one or more natural or legal persons is or are obliged, in return for a payment, to provide one or more other persons, in the event of materialisation of a risk, with an indemnity or a benefit as determined by the undertaking or commitment;
- (o) 'Iranian person, entity or body' means:
- (i) the State of Iran or any public authority thereof;
 - (ii) any natural person in, or resident in, Iran;
 - (iii) any legal person, entity or body having its registered office in Iran;
 - (iv) any legal person, entity or body, inside or outside Iran, owned or controlled directly or indirectly by one or more of the above mentioned persons or bodies;
- (p) 'reinsurance' means the activity consisting in accepting risks ceded by an insurance undertaking or by another reinsurance undertaking or, in the case of the association of underwriters known as Lloyd's, the activity consisting in accepting risks, ceded by any member of Lloyd's, by an insurance or reinsurance undertaking other than the association of underwriters known as Lloyd's;
- (q) 'Sanctions Committee' means the Committee of the United Nations Security Council which was established pursuant to paragraph 18 of United Nations Security Council Resolution ("UNSCR") 1737 (2006);
- (r) 'technical assistance' means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services; including verbal forms of assistance;
- (s) 'territory of the Union' means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty, including their airspace;
- (t) 'transfer of funds' means any transaction carried out on behalf of a payer through a payment service provider, either by electronic means or by other means such as cash, cheques or accountancy orders, with a view to making funds available to a payee at a payment service provider, irrespective of whether the payer and the payee are the same person. The terms payer, payee and payment service provider have the same meaning as in Regulation (EC) No 1781/2006.

Chapter II

Export and import restrictions

Article 2

1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, the goods and technology listed in Annex I or II, whether or not originating in the Union, to any Iranian person, entity or body or for use in Iran.
2. Annex I shall include goods and technology, including software, which are dual-use items or technology as defined in Regulation (EC) No 428/2009 of 5 May 2009, except for certain goods and technology as specified in part A of Annex I to this Regulation.
3. Annex II shall include other goods and technology which could contribute to Iran's enrichment-related, reprocessing or heavy-water-related activities, to the development of nuclear weapon delivery systems, or to the pursuit of activities related to other topics about which the International Atomic Energy Agency (IAEA) has expressed concerns or has identified as outstanding, including those determined by the UN Security Council or by the Sanctions Committee.
4. Annexes I and II shall not include goods and technology included in the Common Military List of the European Union¹ ('Common Military List').

Article 3

1. A prior authorisation shall be required for the sale, supply, transfer or export, directly or indirectly, of the goods and technology listed in Annex III, whether or not originating in the Union, to any Iranian person, entity or body or for use in Iran.
2. For all exports for which an authorisation is required under this Article, such authorisation shall be granted by the competent authorities of the Member State where the exporter is established and shall be in accordance with the detailed rules laid down in Article 11 of Regulation (EC) No 428/2009. The authorisation shall be valid throughout the Union.
3. Annex III shall include any goods and technology, other than those included in Annexes I and II, which could contribute to enrichment-related, reprocessing or heavy water-related activities, to the development of nuclear weapon delivery systems, or to the pursuit of activities related to other topics about which the IAEA has expressed concerns or has identified as outstanding.
4. Exporters shall supply the competent authorities with all relevant information required for their application for an export authorisation.
5. The competent authorities shall not grant any authorisation for any sale, supply, transfer or export of the goods or technology included in Annex III, if they have reasonable grounds

¹ OJ C 69, 18.3.2010, p. 19

to determine that the sale, supply, transfer or export thereof would contribute to one of the following activities:

- (a) Iran's enrichment-related, reprocessing or heavy water-related activities;
 - (b) the development of nuclear weapon delivery systems by Iran; or
 - (c) the pursuit by Iran of activities related to other topics about which the IAEA has expressed concerns or has identified as outstanding.
6. Under the conditions set out in paragraph 5, the competent authorities of the Member States may annul, suspend, modify or revoke an export authorisation which they have granted.
7. Where the competent authority of a Member State refuses to grant an authorisation, or annuls, suspends, substantially limits or revokes an authorisation in accordance with paragraphs 5 or 6, the Member State shall notify the other Member States and the Commission thereof and share the relevant information with them, while complying with the provisions concerning the confidentiality of such information of Council Regulation (EC) No 515/97 of 13 March 1997 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters¹.
8. Before a Member State grants an authorisation in accordance with paragraph 5 for a transaction which is essentially identical to a transaction which is the subject of a still valid denial issued by another Member State or by other Member States under paragraphs 6 and 7, it shall first consult the Member State or States which issued the denial. If, following such consultations, the Member State concerned decides to grant an authorisation, it shall inform the other Member States and the Commission thereof, providing all relevant information to explain the decision.

Article 4

It shall be prohibited to purchase, import or transport from Iran, directly or indirectly, the goods and technology listed in Annexe I or II whether the item concerned originates in Iran or not.

Article 5

1. It shall be prohibited:
 - (a) to provide, directly or indirectly, technical assistance related to the goods and technology listed in the Common Military List, or related to the provision, manufacture, maintenance and use of goods included in that list, to any Iranian person, entity or body or for use in Iran;
 - (b) to provide, directly or indirectly, technical assistance or brokering services related to the goods and technology listed in Annex I or II, or related to the provision,

¹ OJ L 82, 22.3.1997, p. 1.

manufacture, maintenance and use of goods listed in Annex I or II, to any Iranian person, entity or body or for use in Iran; and

- (c) to provide, directly or indirectly, financing or financial assistance related to the goods and technology listed in the Common Military List or in Annex I or II, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of such items, or for any provision of related technical assistance to any Iranian person, entity or body or for use in Iran.

2. The provision of the following shall be subject to an authorisation from the competent authority of the Member State concerned:

- (a) technical assistance or brokering services related to goods and technology listed in Annex III and to the provision, manufacture, maintenance and use of those items, directly or indirectly to any Iranian person, entity or body or for use in Iran;
- (b) financing or financial assistance related to goods and technology referred to in Annex III, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of those items, or for any provision of related technical assistance, directly or indirectly, to any Iranian person, entity or body or for use in Iran.

3. The competent authorities of the Member States shall not grant any authorisation for the transactions referred to in paragraph 2, if they have reasonable grounds to determine that the action would contribute to one of the following activities:

- (a) Iran's enrichment-related, reprocessing or heavy water-related activities;
- (b) the development of nuclear weapon delivery systems by Iran; or
- (c) the pursuit by Iran of activities related to other topics about which the IAEA has expressed concerns or has identified as outstanding.

Article 6

Article 2(1) shall not apply to:

- (a) the direct or indirect transfer of goods falling within Part B of Annex I, through the territories of Member States when those goods are sold, supplied, transferred or exported to, or for use in, Iran for a light water reactor in Iran the construction of which has begun before December 2006;
- (b) transactions mandated by the IAEA technical cooperation programme; or
- (c) goods supplied or transferred to, or for use in, Iran due to obligations of State Parties under the Paris Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction of 13 January 1993.

Article 7

1. The competent authorities may grant, under such terms and conditions as they deem appropriate, an authorisation for a transaction in relation to goods and technology referred to in Article 2(1) or assistance or brokering services referred to in Article 5(1), provided that:
 - (a) the goods and technology, assistance or brokering services are for food, agricultural, medical or other humanitarian purposes; and
 - (b) in those cases where the transaction concerns goods or technology contained in the Nuclear Suppliers Group or Missile Technology Control Regime lists, the Sanctions Committee has determined in advance and on a case-by-case basis that the transaction would clearly not contribute to the development of technologies in support of Iran's proliferation-sensitive nuclear activities, or to the development of nuclear weapon development delivery systems.
2. The Member State concerned shall notify the other Member States and the Commission of its intention to grant an authorisation at least ten working days prior to the authorisation.

Article 8

1. It shall be prohibited to sell, supply, transfer or export key equipment or technology listed in Annex VI, directly or indirectly, to any Iranian person, entity or body or for use in, Iran.
2. Annex VI shall include key equipment and technology for the following key sectors of the oil and gas industry in Iran:
 - (a) exploration of crude oil and natural gas;
 - (b) production of crude oil and natural gas;
 - (c) refining;
 - (d) liquefaction of natural gas.
3. Annex VI shall also include key equipment and technology for the petrochemical industry in Iran.
4. Annex VI shall not include items included in the Common Military List, or in Annex I, Annex II or Annex III.

Article 9

It shall be prohibited:

- (a) to provide, directly or indirectly, technical assistance or brokering services related to the key equipment and technology listed in Annex VI, or related to the provision, manufacture, maintenance and use of goods listed in Annex VI, to any Iranian person, entity or body or for use in Iran.

- (b) to provide, directly or indirectly, financing or financial assistance related to the key equipment and technology listed in Annex VI, to any Iranian person, entity or body or for use in Iran.

Article 10

Provided that a natural or legal person, entity or body seeking to engage in transactions referred to in points (a) or (b), or to provide assistance to such transactions, has notified, at least 20 working days in advance, the transaction or assistance to the competent authority of the Member State in which it is established, the prohibitions in Articles 8 and 9 shall not apply to:

- (b) transactions required by a trade contract concerning key equipment and technology in the exploration of crude oil and natural gas, production of crude oil and natural gas, refining, liquefaction of natural gas concluded before 27 October 2010, or by a contract or agreement concluded before 26 July 2010 and relating to an investment in Iran made before 26 July 2010, nor shall they prevent the execution of an obligation arising there from; or
- (c) transactions required by a trade contract concerning key equipment and technology for the petrochemical industry concluded before [date of entry into force of this Regulation], or by a contract or agreement concluded before 23 January 2012 and relating to an investment in Iran made before 23 January 2012, nor shall they prevent the execution of an obligation arising there from.

Article 11

1. It shall be prohibited:
 - (a) to import crude oil or petroleum products into the Union if they:
 - (i) originate in Iran; or
 - (ii) have been exported from Iran;
 - (b) to purchase crude oil or petroleum products which are located in or which originated in Iran;
 - (c) to transport crude oil or petroleum products if they originate in Iran, or are being exported from Iran to any other country; and
 - (d) to provide, directly or indirectly, financing or financial assistance, including financial derivatives, as well as insurance and re-insurance, except for third party liability insurance and environmental liability insurance, related to the goods referred to in points (a), (b) and (c).
2. Crude oil and petroleum products means the products listed in Annex IV.

Article 12

The prohibitions in Article 11 shall not apply to:

- (a) the execution until 1 July 2012, of trade contracts concluded before 23 January 2012, or of ancillary contracts, including transport, insurance or inspections contracts, necessary for the execution of such contracts;
- (b) the purchase and transport of crude oil or petroleum products which had been exported from Iran prior to 23 January 2012, or where the export was made pursuant to point (a), on or prior to 1 July 2012; or
- (c) the execution of contracts concluded before 23 January 2012, or of ancillary contracts, including transport, insurance or inspection contracts, necessary for the execution of such contracts, where such a contract specifically provides that the supply of Iranian crude oil and petroleum products or the proceeds derived from their supply are for the reimbursement of outstanding amounts to persons, entities or bodies under the jurisdiction of Member States,

provided that the person, entity or body seeking to perform the contract concerned has notified, at least 20 working days in advance, the activity or transaction to the competent authority of the Member State in which it is established.

Article 13

1. It shall be prohibited to purchase, import or transport from Iran, directly or indirectly, the petrochemical products listed in Annex V, whether the item concerned originates in Iran or not.
2. It shall be prohibited to provide, directly or indirectly, financing or financial assistance, as well as insurance and re-insurance, except for third party liability insurance and environmental liability insurance, related to the goods referred to in paragraph 1.

Article 14

The prohibitions in Article 13 shall not apply to:

- (a) the execution until 1 May 2012, of trade contracts concluded before 23 January 2012, or of ancillary contracts, including transport, insurance or inspection contracts, necessary for the execution of such contracts;
- (b) the purchase and transport of petrochemical products which had been exported from Iran prior to 23 January 2012, or where the export was made pursuant to point (a), on or prior to 1 May 2012; or
- (c) the execution of contracts concluded before 23 January 2012, or of ancillary contracts, including transport or insurance contracts, necessary for the execution of such contracts, where such a contract specifically provides that the supply of Iranian petrochemical products or the proceeds derived from their supply are for the reimbursement of outstanding amounts to persons, entities or bodies under the jurisdiction of Member States,

provided that the person, entity or body seeking to perform the contract concerned has notified, at least 20 working days in advance, the activity or transaction to the competent authority of the Member State in which it is established.

Article 15

1. It shall be prohibited:
 - (a) to sell, supply, transfer or export, directly or indirectly, gold, precious metals and diamonds, as listed in Annex VII, whether or not originating in the Union, to the Government of Iran, its public bodies, corporations and agencies, the Central Bank of Iran, any person, entity or body acting on their behalf or at their direction, or any entity or body owned or controlled by them;
 - (b) to purchase, import or transport, directly or indirectly, gold, precious metals and diamonds, as listed in Annex VII, whether the item concerned originates in Iran or not, from the Government of Iran, its public bodies, corporations and agencies, the Central Bank of Iran and any person, entity or body acting on their behalf or at their direction, or any entity or body owned or controlled by them; and
 - (c) to provide, directly or indirectly, technical assistance or brokering services, financing or financial assistance, related to the goods referred to in points (a) and (b), to the Government of Iran, its public bodies, corporations and agencies, the Central Bank of Iran and any person, entity or body acting on their behalf or at their direction, or any entity or body owned or controlled by them.
2. Annex VII shall include gold, precious metals and diamonds subject to the prohibitions referred to in paragraph 1.

Article 16

It shall be prohibited to sell, supply, transfer or export, directly or indirectly, newly printed or unissued Iranian denominated banknotes and coinage, printed or minted in the Union, to, or for the benefit of the Central Bank of Iran.

Chapter III

Restrictions on financing of certain enterprises

Article 17

1. The following shall be prohibited:
 - (a) the granting of any financial loan or credit to any Iranian person, entity or body referred to in paragraph 2;
 - (b) the acquisition or extension of a participation in any Iranian person, entity or body referred to in paragraph 2;
 - (c) the creation of any joint venture with any Iranian person, entity or body referred to in paragraph 2.

2. The prohibition in paragraph 1 shall apply to any Iranian person, entity or body engaged:
 - (a) in the manufacture of goods or technology listed in the Common Military List or in Annex I or II;
 - (b) in the exploration or production of crude oil and natural gas, the refining of fuels or the liquefaction of natural gas; or
 - (c) in the petrochemical industry.
3. For the purposes of paragraph 2(b) only, the following definitions shall apply:
 - (a) 'exploration of crude oil and natural gas' includes the exploration for, prospection of and management of crude oil and natural gas reserves, as well as the provision of geological services in relation to such reserves;
 - (b) 'production of crude oil and natural gas' includes bulk gas transmission services for the purpose of transit or delivery to directly interconnected grids;
 - (c) 'refining' means the processing, conditioning or preparation for the ultimately final sale of fuels.
4. It shall be prohibited to establish cooperation with an Iranian person, entity or body engaged in the transmission of natural gas as referred to in paragraph 3(b).
5. For the purposes of paragraph 4, 'cooperation' means:
 - (a) the sharing of investment costs in an integrated or managed supply chain for the receipt or delivery of natural gas directly from or to the territory of Iran; and
 - (b) direct co-operation for the purpose of investing in liquefied natural gas facilities within the territory of Iran or in liquefied natural gas facilities directly connected thereto.

Article 18

1. The making of an investment through transactions referred to in Article 17(1) in an Iranian person, entity or body engaged in the manufacture of goods or technology listed in Annex III shall be subject to an authorisation from the competent authority of the Member State concerned.
2. The competent authorities of the Member States shall not grant any authorisation for the transactions referred to in paragraph 1, if they have reasonable grounds to determine that the action would contribute to one of the following activities:
 - (a) Iran's enrichment-related, reprocessing or heavy water-related activities;
 - (b) the development of nuclear weapon delivery systems by Iran; or
 - (c) the pursuit by Iran of activities related to other topics about which the IAEA has expressed concerns or has identified as outstanding.

Article 19

1. By way of derogation from Article 17(2)(a), the competent authorities of the Member States may grant, under such terms and conditions as they deem appropriate, an authorisation to make an investment through transactions referred to in Article 17(1), if the following conditions are met:
 - (a) the Iranian person, entity or body has committed itself to apply appropriate end-user guarantees as regards the goods or technology concerned;
 - (b) Iran has undertaken not to use the goods or technology concerned in proliferation-sensitive nuclear activities or for development of nuclear weapon delivery systems; and
 - (c) in those cases where the investment is made in an Iranian person, entity or body engaged in the manufacture of goods or technology contained in the Nuclear Suppliers Group and Missile Technology Control Regime lists, the Sanctions Committee has determined in advance and on a case-by-case basis that the transaction would clearly not contribute to the development of technologies in support of Iran's proliferation-sensitive nuclear activities, or to the development of nuclear weapon development delivery systems.
2. The Member State concerned shall notify the other Member States and the Commission of its intention to grant an authorisation at least ten working days prior to the authorisation.

Article 20

Article 17(2)(b) shall not apply to the granting of a financial loan or credit or to the acquisition or extension of a participation, if the following conditions are met:

- (a) the transaction is required by an agreement or contract concluded before 26 July 2010; and
- (b) the competent authority has been informed at least 20 working days in advance of that agreement or contract.

Article 21

Article 17(2)(c) shall not apply to the granting of a financial loan or credit or to the acquisition or extension of a participation, if the following conditions are met:

- (a) the transaction is required by an agreement or contract concluded before 23 January 2012; and
- (b) the competent authority has been informed at least 20 working days in advance of that agreement or contract.

Article 22

It shall be prohibited to accept or approve, by concluding an agreement or by any other means, that the granting of any financial loan or credit, or the acquisition or extension of a participation, or the creation of any joint venture be made by one or more Iranian persons, entities or bodies, in an enterprise engaged in any of the following activities:

- (a) uranium mining,
- (b) uranium enrichment and reprocessing of uranium;
- (c) the manufacture of goods or technology included in the Nuclear Suppliers Group or Missile Technology Control Regime lists.

Chapter IV

Freezing of funds and economic resources

Article 23

1. All funds and economic resources belonging to, owned, held or controlled by the persons, entities and bodies listed in Annex I of Council Decision 2010/413/CFSP shall be frozen. Annex I of Council Decision 2010/413/CFSP includes the persons, entities and bodies designated by the United Nations Security Council or by the Sanctions Committee in accordance with paragraph 12 of UNSCR 1737 (2006), paragraph 7 of UNSCR 1803 (2008) or paragraph 11, 12 or 19 of UNSCR 1929 (2010).
2. All funds and economic resources belonging to, owned, held or controlled by the persons, entities and bodies listed in Annex II of Council Decision 2010/413/CFSP shall be frozen. Annex II of Council Decision 2010/413 shall include the natural and legal persons, entities and bodies who, in accordance with Article 20(1)(b) and (c) of Council Decision 2010/413/CFSP, have been identified as:
 - (a) being engaged in, directly associated with, or providing support for Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems by Iran, including through involvement in the procurement of prohibited goods and technology, or being owned or controlled by such a person, entity or body, including through illicit means, or acting on their behalf or at their direction;
 - (b) being a natural or legal person, entity or body that has assisted a listed person, entity or body to evade or violate the provisions of this Regulation, Council Decision 2010/413/CFSP or UNSCR 1737 (2006), UNSCR 1747 (2007), UNSCR 1803 (2008) and UNSCR 1929 (2010);
 - (c) being a member of the Islamic Revolutionary Guard Corps or a legal person, entity or body owned or controlled by the Islamic Revolutionary Guard Corps or by one of more of its members, or natural or legal persons acting on their behalf;
 - (d) being other persons, entities or bodies that provide support, such as material, logistical or financial support, to the Government of Iran, and persons and entities associated with them;
 - (e) being a legal person, entity or body owned or controlled by the Islamic Republic of Iran Shipping Lines (IRISL), or acting on their behalf.

Pursuant to the obligation to freeze the funds and economic resources of IRISL and of designated entities owned or controlled by IRISL, it shall be prohibited to load and unload cargoes on and from vessels owned or chartered by IRISL or by such entities in ports of Member States.

The obligation to freeze the funds and economic resources of IRISL and of designated entities owned or controlled by IRISL shall not require the impounding or detention of vessels owned by such entities or the cargoes carried by them insofar as such cargoes belong to third parties, nor does it require the detention of the crew contracted by them.

3. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in Annexes I or II of Council Decision 2010/413/CFSP.
4. Pursuant to the obligation to freeze the funds and economic resources, and without prejudice to the execution of derogations provided for in paragraphs 24, 25, 26, 27, 28, 29 or 30, it shall be prohibited to supply financial communication services, which are used by financial institutions to exchange financial data amongst themselves, to the natural or legal persons, entities or bodies listed in Annexes I or II of Council Decision 2010/413/CFSP.
5. Annexes I and II of Council Decision 2010/413/CFSP shall include the grounds for listing of listed persons, entities and bodies, as provided by the Security Council or by the Sanctions Committee for Annex I.
6. Annexes I and II of Council Decision 2010/413/CFSP shall also include, where available, information necessary to identify the natural or legal persons, entities and bodies concerned, as provided by the Security Council or by the Sanctions Committee for Annex I. With regard to natural persons, such information may include names including aliases, date and place of birth, nationality, passport and ID card numbers, gender, address, if known, and function or profession. With regard to legal persons, entities and bodies, such information may include names, place and date of registration, registration number and place of business. With regard to airlines and shipping companies, Annexes I and II shall also include, where available, information necessary to identify each vessel or aircraft belonging to a listed company such as the original registration number or name. Annexes I and II shall also include the date of designation.

Article 24

1. By way of derogation from Article 23, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources, if the following conditions are met:
 - (d) the funds or economic resources are the subject of a judicial, administrative or arbitral lien established before the date on which the person, entity or body referred to in Article 23 has been designated by the Sanctions Committee, the Security Council or the Council or of a judicial, administrative or arbitral judgment rendered prior to that date;
 - (e) the funds or economic resources will be used exclusively to satisfy claims secured by such a lien or recognised as valid in such a judgment, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
 - (f) the lien or judgment is not for the benefit of a person, entity or body listed in Annex I or II of Council Decision 2010/413/CFSP;
 - (g) recognising the lien or judgment is not contrary to public policy in the Member State concerned; and
 - (h) where Article 23(1) applies, the Sanctions Committee has been notified by the Member State of the lien or judgment.

2. The relevant Member State shall inform the other Member States and the Commission of authorisations granted under paragraph 1.

Article 25

By way of derogation from Article 23 and provided that a payment by a person, entity or body listed in Annex I or II of Council Decision 2010/413/CFSP is due under a contract or agreement that was concluded by, or an obligation that arose for the person, entity or body concerned, before the date on which that person, entity or body had been designated by the Sanctions Committee, the Security Council or by the Council, the competent authorities of the Member States may authorise, under such conditions as they deem appropriate, the release of certain frozen funds or economic resources, if the following conditions are met:

- (a) the competent authority concerned has determined that:
 - (i) the funds or economic resources shall be used for a payment by a person, entity or body listed in Annex I or II of Council Decision 2010/413/CFSP;
 - (ii) the payment will not contribute to an activity prohibited under this Regulation and
 - (iii) the payment is not in breach of Article 23(3);
- (b) where Article 23(1) applies, the Member State concerned has notified the Sanctions Committee of the determination referred to in point (a) and its intention to grant an authorisation, and the Sanctions Committee has not objected to that course of action within ten working days of notification; and
- (c) the Member State concerned has notified the other Member States and the Commission of the determination referred to in point (a) and its intention to grant an authorisation at least ten working days prior to the authorisation.

Article 26

1. By way of derogation from Article 23, the competent authorities of the Member States may authorise, under such conditions as they deem appropriate, the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, provided that the following conditions are met:
 - (a) the competent authority concerned has determined that the funds or economic resources are:
 - (i) necessary to satisfy the basic needs of persons listed in Annex I or II of Council Decision 2010/413/CFSP, and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
 - (ii) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services; or

- (iii) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources; and
 - (b) where the authorisation concerns a person, entity or body listed in Annex I of Council Decision 2010/413/CFSP, the Member State concerned has notified the Sanctions Committee of the determination referred to in point (a) and its intention to grant an authorisation, and the Sanctions Committee has not objected to that course of action within five working days of notification.
2. The relevant Member State shall inform the other Member States and the Commission of authorisations granted under paragraph 1.
3. By way of derogation from Article 23, the competent authorities of the Member States may authorise the release of certain frozen funds or economic resources or the making available of certain funds or economic resources, after having determined that the funds or economic resources are necessary for extraordinary expenses or for payment for or transfer of goods when procured for a light water reactor in Iran the construction of which has begun before December 2006, or for goods referred to in Article 6(b) and (c), provided that the following conditions are met:
- (a) where the authorisation concerns a person, entity or body listed in Annex I of Council Decision 2010/413/CFSP, the Sanctions Committee has been notified of that determination by the Member State concerned and the determination has been approved by that Committee; and
 - (b) where the authorisation concerns a person, entity or body listed in Annex II of Council Decision 2010/413/CFSP, the Member State concerned shall notify the other Member States and the Commission of that determination and its intention to grant an authorisation at least ten working days prior to the authorisation.

Article 27

- 1 By way of derogation from Article 23 (2) and (3), the competent authorities of the Member States may authorise, under such conditions as they deem appropriate, the release of certain frozen funds or economic resources or the making available of certain funds or economic resources, after having determined that the funds or economic resources are necessary for official purposes of diplomatic or consular missions or international organisations enjoying immunities in accordance with international law.
2. The relevant Member State shall inform the other Member States and the Commission of authorisations granted under paragraph 1.

Article 28

By way of derogation from Articles 23(2) and (3), the competent authorities of the Member States may authorise, under such conditions as they deem appropriate:

- (u) (a) the making available of certain funds to the Central Bank of Iran, after having determined that the funds are necessary for the execution, until 1 July 2012, of a contract referred to in Article 12; or

- (v) (b) the release of certain frozen funds or economic resources of the Central Bank of Iran or the making available of certain funds or economic resources to the Central Bank of Iran, after having determined that the funds or economic resources are necessary for the purpose of providing credit or financial institutions with liquidity for the financing of trade,

provided that the Member State concerned has notified the other Member States and the Commission of its intention to grant an authorisation at least ten working days prior to the authorisation.

Article 29

1. By way of derogation from Articles 23(2) and (3), and until 23 March 2012, the competent authorities of the Member States may authorise, under such conditions as they deem appropriate, the making available of certain funds or economic resources to Bank Tejarat, or the release of certain funds or economic resources of Bank Tejarat, frozen after 23 January 2012, provided that:
 - (a) the funds or economic resources shall be used for a payment due under a trade contract;
 - (b) the payment is not in breach of Article 23(3).
2. The Member State concerned shall notify the other Member States and the Commission of its intention to grant an authorisation at least ten working days prior to the authorisation.

Article 30

1. Article 23(3) shall not prevent financial or credit institutions from crediting frozen accounts where they receive funds transferred onto the account of a listed natural or legal person, entity or body, provided that any additions to such accounts shall also be frozen. The financial or credit institution shall inform the competent authorities about such transactions without delay.
2. Article 23(3) shall not apply to the addition to frozen accounts of:
 - (a) interest or other earnings on those accounts; or
 - (b) payments due under contracts, agreements or obligations that were concluded or arose before the date on which the person, entity or body referred to in Article 23 has been designated by the Sanctions Committee, the Security Council or by the Council;provided that any such interest or other earnings and payments are frozen in accordance with Article 23(1) or (2).
3. This Article shall not be construed as authorising transfers of funds referred to in Article 31.

Chapter V

Restrictions on transfers of funds and on financial services

Article 31

1. Transfers of funds to and from an Iranian person, entity or body shall be processed as follows:
 - (a) transfers due on transactions regarding foodstuffs, healthcare, medical equipment, or for humanitarian purposes shall be carried out without any prior authorisation. The transfer shall be notified in advance in writing to the competent authorities of the Member States if above EUR 10 000 or equivalent;
 - (b) any other transfer below EUR 40 000 shall be carried out without any prior authorisation. The transfer shall be notified in advance in writing to the competent authorities of the Member States if above EUR 10 000 or equivalent;
 - (c) any other transfer of or above EUR 40 000 or equivalent shall require a prior authorisation of the competent authorities of the Member States.

2. Paragraph 1 shall apply regardless of whether the transfer of funds is executed in a single operation or in several operations which appear to be linked. For the purpose of this Article, “operations which appear to be linked” includes:
 - (i) a chain of transfers from or to the same person, entity or body which are made in connection with a single obligation to make a transfer of funds, where each individual transfer falls below the threshold set out in this Article 31 but which, in the aggregate, meet the criteria for notification or authorisation; or
 - (ii) a chain of transfers involving different payment service providers which effects a single obligation to make a transfer of funds.

3. Notifications and requests for authorisation relating to the transfer of funds shall be processed as follows:
 - (a) (a) Notifications and requests for authorisation relating to the transfer of funds to an Iranian person, entity or body shall be addressed by or on behalf of the payment service provider of the payer as referred to in Article 1(t) to the competent authorities of the Member State where the initial order to execute the transfer is given.
 - (b) (b) Notifications and requests for authorisation relating to the transfer of funds from an Iranian person, entity or body shall be addressed by or on behalf of the payment service provider of the payee as referred to in Article 1(t) to the competent authorities of the Member State in which the payee is resident or the payment service provider is established.
 - (c) (c) In case the application of points (a) and (b) results in two obligations as to notification or requests for authorisation related to the same transfer of funds, only the payment service provider of the payer as referred to in Article 1(t) shall address a notification or request for authorisation relating to the transfer of funds to the

competent authorities of the Member State where the initial order to execute the transfer is given.

- (d) (d) If the payment service provider of the payer or of the payee does not fall under the scope of Article 50, notifications and requests for authorisation shall be addressed, in the case of a transfer to an Iranian person, body or entity, by the payer, and in the case of a transfer from an Iranian person, body or entity by the payee to the competent authorities of the Member State in which, respectively, the payer or payee is resident.
- (e) (e) Notifications and requests for authorisation relating to the transfer of funds to or from an Iranian person, entity or body within the EU shall be addressed by the payment service provider of the Iranian person, entity or body to the competent authorities of the Member State in which the payment service provider is established.
- (f) (f) In relation to a transfer of funds to or from an Iranian person, entity or body where none of the payer, payee or their respective payment service providers fall under the scope of Article 50 but a payment service provider which does fall under the scope of that Article acts as an intermediary, then that payment service provider must comply with the obligation to notify or seek authorisation, as applicable, if it knows or has reasonable cause to suspect that the transfer is to or from an Iranian person, entity or body. Where there is more than one payment service provider acting as an intermediary, only the first payment service provider to process the transfer is required to comply with the obligation to notify or seek authorisation, as applicable. Any notification or request for authorisation must be addressed to the competent authorities of the Member State in which the payment service provider is established.
- (g) (g) Where there is more than one payment service provider involved in a series of linked transfers of funds, transfers within the EU shall include a reference to the authorisation granted to the relevant payment service provider.

4. For the purposes of paragraph 1(c), the competent authorities shall grant, under such terms and conditions as they deem appropriate, an authorisation for a transfer of funds having a value of EUR 40 000 or more, unless they have reasonable grounds to determine that the transfer of funds for which the authorisation is requested could be in breach of any of the prohibitions in the present Regulation.

A competent authority may charge a fee for the assessment of requests for authorisation.

An authorisation shall be deemed granted if a competent authority has received a request in writing for authorisation and, within four weeks, the competent authority has not objected in writing to the transfer of funds. If the objection is raised because an investigation is pending, the competent authority shall state this and communicate its decision without delay. The competent authorities shall have access, directly or indirectly, on a timely basis to the financial, administrative and law enforcement related information necessary for carrying out the investigation.

The Member State concerned shall inform the other Member States and the Commission of authorisations rejected.

5. This article shall not apply where an authorisation has been granted in accordance with Article 24, 25, 26, 27, 28 or 29.

6. Persons, entities or bodies who merely convert paper documents into electronic data and are acting under a contract with a credit institution or a financial institution do not fall within the scope of this Article, nor does any natural or legal person, entity or body that provides credit or financial institutions solely with a message or other support system for transmitting funds or with clearing and settlement systems.

Article 32

1. Branches and subsidiaries, falling within the scope of Article 50, of credit and financial institutions domiciled in Iran shall notify the competent authority of the Member State where they are established of all transfers of funds carried out or received by them, the names of the parties and the amount and the date of the transaction, within five working days after carrying out or receiving the transfer of funds concerned. If the information is available, the notification must specify the nature of the transaction and, where appropriate, the nature of the goods covered by the transaction and must, in particular, state whether the goods are covered by Annex I, II, III, IV, V, VI or VII of this Regulation and, if their export is subject to authorisation, indicate the number of the licence granted.
2. Subject to and in accordance with the information-sharing arrangements, the other notified competent authorities shall without delay transmit that data, as necessary, in order to prevent any transaction that could contribute to proliferation-sensitive nuclear activities or to the development of nuclear weapons delivery systems, to the competent authorities of other Member States where the counterparts to such transactions are established.

Article 33

1. Credit and financial institutions shall, in their activities with credit and financial institutions referred to in paragraph 2 and in order to ensure compliance with the provisions of this Regulation, conduct enhanced vigilance as follows:
 - (a) exercise continuous vigilance over account activity, particularly through their programmes on customer due diligence;
 - (b) require that in payment instructions all information fields which relate to the originator and beneficiary of the transaction in question be completed and if that information is not supplied, refuse the transaction;
 - (c) maintain all records of transactions for a period of five years and make them available to national authorities on request;
 - (d) if they have reasonable grounds to suspect that activities with credit and financial institutions may be in breach of the provisions of this Regulation, report without delay their suspicions to the financial intelligence unit (FIU) or to another competent authority designated by the Member State concerned, without prejudice to Articles 5 and 23. The FIU or such other competent authority will serve as a national centre for receiving and analysing suspicious transaction reports regarding potential breaches of this Regulation. The FIU or such other competent authority shall have access, directly or indirectly, on a timely basis to the financial, administrative and law enforcement information that it requires to properly undertake this function, including the analysis of suspicious transaction reports.

2. The measures set out in paragraph 1 shall apply to credit and financial institutions in their activities with:
- (a) credit and financial institutions domiciled in Iran;
 - (b) branches and subsidiaries, where they fall within the scope of Article 50, of credit and financial institutions domiciled in Iran;
 - (c) branches and subsidiaries, where they do not fall within the scope of Article 50, of credit and financial institutions domiciled in Iran; and
 - (d) credit and financial institutions that are not domiciled in Iran but are controlled by persons and entities domiciled in Iran.

Article 34

1. It shall be prohibited for credit and financial institutions falling within the scope of Article 50 to do any of the following:
 - (a) to open a new bank account with a credit or financial institution domiciled in Iran or with any credit or financial institution referred to in Article 33(2);
 - (b) to establish a new correspondent banking relationship with a credit or financial institution domiciled in Iran or with any credit or financial institution referred to in Article 33(2),
 - (c) to open a new representative office in Iran or to establish a new branch or subsidiary in Iran;
 - (d) to establish a new joint venture with a credit or financial institution domiciled in Iran or with any credit or financial institution referred to in Article 33(2).

2. It shall be prohibited:
 - (a) to authorise the opening of a representative office or the establishment of a branch or subsidiary in the Union of a credit or financial institution domiciled in Iran or of any credit or financial institution referred to in Article 33(2);
 - (b) to conclude agreements for, or on behalf of, a credit or financial institution domiciled in Iran or for, or on behalf of, any credit or financial institution referred to in Article 33(2) pertaining to the opening of a representative office or the establishment of a branch or subsidiary in the Union;
 - (c) to grant an authorisation for taking up and pursuing the business of credit institution or for any other business requiring prior authorisation, by a representative office, branch or subsidiary of a credit or financial institution domiciled in Iran or of any credit or financial institution referred to in Article 33(2), if the representative office, branch or subsidiary was not operational before 26 July 2010.
 - (d) to acquire or to extend a participation, or to acquire any other ownership interest, in a credit or financial institution falling within the scope of Article 50 by any credit or financial institution referred to in Article 33(2).

Article 35

It shall be prohibited:

- (a) to sell or purchase public or public-guaranteed bonds issued after 26 July 2010, directly or indirectly, to or from any of the following:
 - (i) Iran or its Government, and its public bodies, corporations and agencies;
 - (ii) a credit or financial institution domiciled in Iran or any credit or financial institution referred to in Article 33(2);
 - (iii) a natural person or a legal person, entity or body acting on behalf or at the direction of a legal person, entity or body referred to in (i) or (ii);
 - (iv) a legal person, entity or body owned or controlled by a person, entity or body referred to in (i), (ii) or (iii);
- (b) to provide brokering services with regard to public or public-guaranteed bonds issued after 26 July 2010 to a person, entity or body referred to in point (a);
- (c) to assist a person, entity or body referred to in point (a) in order to issue public or public-guaranteed bonds, by providing brokering services, advertising or any other service with regard to such bonds.

Article 36

1. It shall be prohibited to provide insurance or re-insurance, including to arrange or broker the provision of insurance or reinsurance, to:
 - (a) Iran or its Government, and its public bodies, corporations and agencies;
 - (b) an Iranian person, entity or body other than a natural person; or
 - (c) a natural person or a legal person, entity or body when acting on behalf or at the direction of a legal person, entity or body referred to in (a) or (b).
2. Points (a) and (b) of paragraph 1 shall not apply to the provision of compulsory or third party liability insurance or environmental liability insurance, nor to the provision of insurance for Iranian diplomatic or consular missions in the Union.
3. Point (c) of paragraph 1 shall not apply to the provision of insurance, including health and travel insurance, to individuals acting in their private capacity, except for persons listed in Annexes I and II of Council Decision 2010/413/CFSP, and re-insurance relating thereto.

Point (c) of paragraph 1 shall not prevent the provision of insurance or re-insurance to the owner of a vessel, aircraft or vehicle chartered by a person, entity or body referred to in point (a) or (b) of paragraph 1 and which is not listed in Annexes I or II of Council Decision 2010/413/CFSP.

For the purpose of point (c) of paragraph 1, a person, entity or body shall not be considered to act at the direction of a person, entity or body referred to in points (a) and (b) of paragraph 1(a) where that direction is for the purposes of docking, loading, unloading or safe transit of a vessel or aircraft temporarily in Iranian waters or airspace.

4. This Article prohibits the extension or renewal of insurance and re-insurance agreements concluded before 27 October 2010, but, without prejudice to Article 23(3), it does not prohibit compliance with agreements concluded before that date.

Chapter VI

Restrictions on transport

Article 37

1. To prevent the transfer of goods and technology which are covered by the Common Military List or the supply, sale, transfer, export or import of which is prohibited by this Regulation, and in addition to the obligation to provide the competent customs authorities of the Member States with the pre-arrival and pre-departure information as determined in the relevant provisions concerning entry and exit summary declarations as well as customs declarations in Regulation (EEC) No 2913/92¹ and in Regulation (EEC) No 2454/93², the person who provides the information referred to in paragraph 2, shall declare whether the goods are covered by the Common Military List or by this Regulation and, where their export is subject to authorisation, specify the particulars of the export licence granted.
2. The required additional elements referred to in this Article shall be submitted either in written form or using a customs declaration as appropriate.

Article 38

1. The provision of bunkering or ship supply services, or any other servicing of vessels, to vessels owned or controlled, directly or indirectly, by an Iranian person, entity or body shall be prohibited where the providers of the service have information, including from the competent customs authorities on the basis of the pre-arrival and pre-departure information referred to in Article 37, that provides reasonable grounds to determine that the vessels carry goods covered by the Common Military List or goods whose supply, sale, transfer or export is prohibited under this Regulation, unless the provision of such services is necessary for humanitarian and safety purposes.
2. The provision of engineering and maintenance services to cargo aircraft owned or controlled, directly or indirectly, by an Iranian person, entity or body shall be prohibited, where the providers of the service have information, including from the competent customs authorities on the basis of the pre-arrival and pre-departure information referred to in Article 37, that provides reasonable grounds to determine that the cargo aircraft carry goods covered by the Common Military List or goods the supply, sale, transfer or export of which is prohibited under this Regulation, unless the provision of such services is necessary for humanitarian and safety purposes.
3. The prohibitions in paragraphs 1 and 2 shall apply until the cargo has been inspected and, if necessary, seized or disposed of, as the case may be.

Any seizure and disposal may, in accordance with national legislation or the decision of a competent authority, be carried out at the expense of the importer or be recovered from any other person or entity responsible for the attempted illicit supply, sale, transfer or export.

¹ OJ L 302, 19.10.1992, p. 1

² OJ L 253, 11.10.1993, p. 1.

Chapter VII

General and final provisions

Article 39

1. No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Regulation, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, notably a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:
 - (a) designated persons, entities or bodies listed in Annexes I and II of Council Decision 2010/413/CFSP;
 - (b) any other Iranian person, entity or body, including the Iranian government;
 - (c) any person, entity or body acting through or on behalf of one of the persons, entities or bodies referred to in points (a) and (b).
2. The performance of a contract or transaction shall be regarded as having been affected by the measures imposed under this Regulation where the existence or content of the claim results directly or indirectly from those measures.
3. In any proceedings for the enforcement of a claim, the onus of proving that satisfying the claim is not prohibited by paragraph 1 shall be on the person seeking the enforcement of that claim.
4. This Article is without prejudice to the right of the persons, entities and bodies referred to in paragraph 1 to judicial review of the legality of the non-performance of contractual obligations in accordance with this Regulation.

Article 40

For the purposes of Articles 8 and 9, point (b) of Article 17(2), and Articles 31 and 36, any body, entity or holder of rights derived from an original award before 27 October 2010 by a sovereign Government other than Iran, of a production sharing agreement shall not be considered an Iranian person, entity or body. In such cases and in relation to Article 8, the competent authority of the Member State may require appropriate end-user guarantees from any body or entity for any sale, supply, transfer or export of any key equipment or technology listed in Annex VI.

Article 41

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy, natural and legal persons, entities and bodies shall:
 - (a) supply immediately any information which would facilitate compliance with this Regulation, such as information on accounts and amounts frozen in accordance with Article 23, to the competent authorities of the Member States where they are resident or located, and shall transmit such information, directly or through the Member States, to the Commission;
 - (b) cooperate with the competent authorities in any verification of this information.
2. Any additional information received directly by the Commission shall be made available to the Member State concerned.
3. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.

Article 42

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Article 2, 3, 4, 5, 8, 9, 11, 13, 15, 16, 17, 18, 22, 23, 31, 32, 33, 34, 35, 36, 37 or 38.

Article 43

1. The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person, entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen or withheld as a result of negligence.
2. The measures set out in the present Regulation shall not give rise to liability of any kind on the part of the natural or legal persons, entities or bodies concerned, if they did not know, and had no reasonable cause to suspect, that their actions or omissions would infringe these prohibitions.
3. The disclosure in good faith, as provided for in Articles 31, 32 and 33, by a person, entity or body covered by this Regulation or an employee or director of such person, entity or body, of the information referred to in Articles 31, 32 and 33 shall not give rise to liability of any kind on the part of the institution or person or its directors or employees.

Article 44

1. A Member State may take all action it deems necessary to ensure that relevant international, Union or national legal obligations concerning the health and safety of

workers and environmental protection are respected where cooperation with an Iranian person, entity or body may be affected by the implementation of this Regulation.

2. For the purpose of action taken pursuant to paragraph 1, the prohibitions in Articles 8 and 9, point (b) of Article 17(2), and Articles 23(2), 31 and 36 shall not apply.
3. The Member State concerned shall notify the other Member States and the Commission of the determination referred to in paragraph 1 and its intention to grant an authorisation at least ten working days prior to the authorisation.

Article 45

1. The Commission and Member States shall inform each other of the measures taken under this Regulation and share any other relevant information at their disposal in connection with this Regulation at regular intervals, in particular information
 - (a) in respect of funds frozen under Article 23 and derogations granted under Articles 24, 26 and 27;
 - (b) in respect of violations and enforcement problems and judgments issued by national courts.
2. The Member States shall immediately inform each other and the Commission of any other relevant information at their disposal which might affect the effective implementation of this Regulation.

Article 46

The Commission shall:

- (a) amend Annex II on the basis of determinations made by either the United Nations Security Council or the Sanctions Committee or on the basis of information supplied by Member States;
- (b) amend Annex III, IV, V, VI, VII and VIII on the basis of information supplied by Member States.

Article 47

1. Where the Security Council or the Sanctions Committee lists a natural or legal person, entity or body, the Council shall include such natural or legal person, entity or body in Annex I of Council Decision 2010/413/CFSP.
2. Where the Council decides to subject a natural or legal person, entity or body to the measures referred to in Article 23(2) and (3), it shall amend Annex II of Council Decision 2010/413/CFSP accordingly.
3. The Council shall communicate its decision, including the grounds for listing, to the natural or legal person, entity or body referred to in paragraph 1 or 2, either directly, if the

address is known, or through the publication of a notice, providing such natural or legal person, entity or body with an opportunity to present observations.

4. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the natural or legal person, entity or body accordingly.
5. Where the United Nations decides to delist a natural or legal person, entity or body, or to amend the identifying data of a listed natural or legal person, entity or body, the Council shall amend Annex I of Council Decision 2010/413/CFSP accordingly.
6. The list in Annex II of Council Decision 2010/413/CFSP shall be reviewed in regular intervals and at least every 12 months.

Article 48

1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive.
2. Member States shall notify the Commission of those rules without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment.

Article 49

1. Member States shall designate the competent authorities referred to in this Regulation and identify them on the websites listed in Annex VIII. Member States shall notify the Commission of any changes in the addresses of their websites listed in Annex VIII.
2. Member States shall notify the Commission of their competent authorities, including the contact details of those competent authorities, without delay after the entry into force of this Regulation, and shall notify it of any subsequent amendment.
3. Where this Regulation sets out a requirement to notify, inform or otherwise communicate with the Commission, the address and other contact details to be used for such communication shall be those indicated in Annex VIII.

Article 50

This Regulation shall apply:

- (a) within the territory of the Union, including its airspace;
- (b) on board any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any person inside or outside the territory of the Union who is a national of a Member State;
- (d) to any legal person, entity or body, inside or outside the territory of the Union, which is incorporated or constituted under the law of a Member State;

- (e) to any legal person, entity or body in respect of any business done in whole or in part within the Union.

Article 51

Regulation (EU) No 961/2010 is hereby repealed. References to the repealed regulation shall be construed as references to this Regulation.

Article 52

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Council
The President*

ANNEX I

PART A

Goods and technology referred to in Articles 2(1),(2) and (4),
3(3), 5(1), 6, 8(4), 17(2) and 32(1)

This Annex comprises all goods and technology listed in Annex I to Regulation (EC) No 428/2009, as defined therein, except the following:

Item from Annex I to Regulation (EC) No 428/2009	Description
5A002	<p>"Information security" systems, equipment and components therefor, as follows:</p> <p>a. Systems, equipment, application specific "electronic assemblies", modules and integrated circuits for "information security", as follows and other specially designed components therefor:</p> <p><i>N.B.: For the control of Global Navigation Satellite Systems (GNSS) receiving equipment containing or employing decryption (i.e., GPS or GLONASS), see 7A005.</i></p> <p>1. Designed or modified to use "cryptography" employing digital techniques performing any cryptographic function other than authentication or digital signature and having any of the following:</p> <p><i>Technical Notes:</i></p> <p>1. <i>Authentication and digital signature functions include their associated key management function.</i></p> <p>2. <i>Authentication includes all aspects of access control where there is no encryption of files or text except as directly related to the protection of passwords, Personal Identification Numbers (PINs) or similar data to prevent unauthorised access.</i></p>

Item from Annex I to Regulation (EC) No 428/2009	Description
	<p>3. <i>"Cryptography" does not include "fixed" data compression or coding techniques.</i></p> <p><i>Note: 5A002.a.1. includes equipment designed or modified to use "cryptography" employing analogue principles when implemented with digital techniques.</i></p> <p>a. A "symmetric algorithm" employing a key length in excess of 56 bits; or</p> <p>b. An "asymmetric algorithm" where the security of the algorithm is based on any of the following:</p> <ol style="list-style-type: none"> 1. Factorisation of integers in excess of 512 bits (e.g., RSA); 2. Computation of discrete logarithms in a multiplicative group of a finite field of size greater than 512 bits (e.g., Diffie-Hellman over Z/pZ); <u>or</u> 3. Discrete logarithms in a group other than mentioned in 5A002.a.1.b.2. in excess of 112 bits (e.g., Diffie-Hellman over an elliptic curve);
5D002	<p>"Software" as follows:</p> <p>a. "Software" specially designed or modified for the "use" of equipment specified in 5A002.a.1 or "software" specified in 5D002.c.1;</p>

Item from Annex I to Regulation (EC) No 428/2009	Description
	<p>b. Specific "software", as follows:</p> <ol style="list-style-type: none"> 1. "Software" having the characteristics, or performing or simulating the functions of the equipment, specified in 5A002.a.1; <p><i>Note:</i> 5D002 does not control "software" as follows:</p> <ol style="list-style-type: none"> a. "Software" required for the "use" of equipment excluded from control by the Note to 5A002; b. "Software" providing any of the functions of equipment excluded from control by the Note to 5A002.
5E002	<p>"Technology" according to the General Technology Note for the "use" of equipment specified in 5A002.a.1 or "software" specified in 5D002.a. or 5D002.c.1 of this list.</p>

PART B

Article 6 applies to the following goods:

Item from Annex I to Regulation (EC) No 428/2009	Description
0A001	<p>"Nuclear reactors" and specially designed or prepared equipment and components therefor, as follows:</p> <ul style="list-style-type: none"> a. "Nuclear reactors"; b. Metal vessels, or major shop-fabricated parts therefor, including the reactor vessel head for a reactor pressure vessel, specially designed or prepared to contain the core of a "nuclear reactor"; c. Manipulative equipment specially designed or prepared for inserting or removing fuel in a "nuclear reactor"; d. Control rods specially designed or prepared for the control of the fission process in a "nuclear reactor", support or suspension structures therefor, rod drive mechanisms and rod guide tubes; e. Pressure tubes specially designed or prepared to contain fuel elements and the primary coolant in a "nuclear reactor" at an operating pressure in excess of 5.1 MPa; f. Zirconium metal and alloys in the form of tubes or assemblies of tubes in which the ratio of hafnium to zirconium is less than 1:500 parts by weight, specially designed or prepared for use in a "nuclear reactor";

Item from Annex I to Regulation (EC) No 428/2009	Description
	<p>g. Coolant pumps specially designed or prepared for circulating the primary coolant of "nuclear reactors";</p> <p>h. 'Nuclear reactor internals' specially designed or prepared for use in a "nuclear reactor", including support columns for the core, fuel channels, thermal shields, baffles, core grid plates, and diffuser plates;</p> <p><i>Note: In 0A001.h. 'nuclear reactor internals' means any major structure within a reactor vessel which has one or more functions such as supporting the core, maintaining fuel alignment, directing primary coolant flow, providing radiation shields for the reactor vessel, and guiding in-core instrumentation.</i></p> <p>i. Heat exchangers (steam generators) specially designed or prepared for use in the primary coolant circuit of a "nuclear reactor";</p> <p>j. Neutron detection and measuring instruments specially designed or prepared for determining neutron flux levels within the core of a "nuclear reactor".</p>
0C002	Low enriched uranium covered by 0C002 when it is incorporated in assembled nuclear fuels elements

ANNEX II

Goods and technology referred to in Articles 2(1)(2) and (4), 3(3), 5(1), 8(4), 17(2), 46 and 32(1)

Introductory Notes

1. Unless otherwise stated, reference numbers used in the column entitled 'Description' refer to the descriptions of dual-use items and technology set out in Annex I to Regulation (EC) No 428/2009.
2. A reference number in the column entitled 'Related item from Annex I to Regulation (EC) No 428/2009' means that the characteristics of the item described in the column 'Description' lie outside the parameters set out in the description of the dual-use entry referred to.
3. Definitions of terms between 'single quotation marks' are given in a technical note to the relevant item.
4. Definitions of terms between "double quotation marks" can be found in Annex I to Regulation (EC) No 428/2009.

General Notes

1. The object of the prohibitions contained in this Annex should not be defeated by the export of any non-prohibited goods (including plant) containing one or more prohibited components when the prohibited component or components are the principal element of the goods and can feasibly be removed or used for other purposes.

N.B.: In judging whether the prohibited component or components are to be considered the principal element, it is necessary to weigh the factors of quantity, value and technological know-how involved and other special circumstances which might establish the prohibited component or components as the principal element of the goods being procured.

2. The goods specified in this Annex include both new and used goods.

General Technology Note (GTN)

(To be read in conjunction with Section II.B.)

1. The sale, supply, transfer or export of "technology" which is "required" for the "development", "production" or "use" of goods the sale, supply, transfer or export of which is prohibited in Part A (Goods) below, is prohibited in accordance with the provisions of Section II.B.
2. The sale, supply, transfer or export of "technology" which is "required" for the "development" or "production" of goods the sale, supply, transfer or export of which is controlled in Part A (Goods) of Annex IV, is prohibited in accordance with the provisions of Section II.B.

3. The "technology" "required" for the "development", "production" or "use" of prohibited goods remains under prohibition even when applicable to non-prohibited goods.
4. Prohibitions do not apply to that "technology" which is the minimum necessary for the installation, operation, maintenance (checking) and repair of those goods which are not prohibited or the export of which has been authorised in accordance with Regulation (EC) No 423/2007 or this Regulation.
5. Prohibitions on "technology" transfer do not apply to information "in the public domain", to "basic scientific research" or to the minimum necessary information for patent applications.

II.A. GOODS

A0. Nuclear Materials, Facilities, and Equipment

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A0.001	Hollow cathode lamps as follows: <ol style="list-style-type: none"> a. Iodine hollow cathode lamps with windows in pure silicon or quartz b. Uranium hollow cathode lamps 	—
II.A0.002	Faraday isolators in the wavelength range 500 nm – 650 nm	—
II.A0.003	Optical gratings in the wavelength range 500 nm – 650 nm	—
II.A0.004	Optical fibres in the wavelength range 500 nm – 650 nm coated with anti-reflecting layers in the wavelength range 500 nm – 650 nm and having a core diameter greater than 0,4 mm but not exceeding 2 mm	—
II.A0.005	Nuclear reactor vessel components and testing equipment, other than those specified in 0A001, as follows: <ol style="list-style-type: none"> 1. Seals 2. Internal components 3. Sealing, testing and measurement equipment 	0A001

A0. Nuclear Materials, Facilities, and Equipment

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A0.006	Nuclear detection systems for detection, identification or quantification of radioactive materials and radiation of nuclear origin and specially designed components thereof other than those specified in 0A001.j. or 1A004.c.	0A001.j 1A004.c
II.A0.007	Bellows-sealed valves made of aluminium alloy or stainless steel type 304, 304L or 316L. <i>Note: This item does not cover bellow valves defined in 0B001.c.6 and 2A226.</i>	0B001.c.6 2A226
II.A0.008	Laser mirrors, other than those specified in 6A005.e, consisting of substrates having a thermal expansion coefficient of 10^{-6}K^{-1} or less at 20°C (e.g. fused silica or sapphire). <i>Note: This item does not cover optical systems specially designed for astronomical applications, except if the mirrors contain fused silica.</i>	0B001.g.5, 6A005.e
II.A0.009	Laser lenses, other than those specified in 6A005.e.2, consisting of substrates having a thermal expansion coefficient of 10^{-6}K^{-1} or less at 20°C (e.g. fused silica).	0B001.g, 6A005.e.2

A0. Nuclear Materials, Facilities, and Equipment

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A0.010	Pipes, piping, flanges, fittings made of, or lined with, nickel or nickel alloy containing more than 40 % nickel by weight, other than those specified in 2B350.h.1.	2B350
II.A0.011	Vacuum pumps other than those specified in 0B002.f.2 or 2B231, as follows: Turbomolecular pumps having a flowrate equal to or greater than 400 l/s, Roots type vacuum roughing pumps having a volumetric aspiration flowrate greater than 200 m ³ /h. Bellows-sealed, scroll, dry compressor, and bellows-sealed, scroll, dry vacuum pumps.	0B002.f.2, 2B231
II.A0.012	Shielded enclosures for the manipulation, storage and handling of radioactive substances (Hot cells).	0B006
II.A0.013	'Natural uranium' or 'depleted uranium' or thorium in the form of metal, alloy, chemical compound or concentrate and any other material containing one or more of the foregoing, other than those specified in 0C001.	0C001
II.A0.014	Detonation chambers having a capacity of explosion absorption of more than 2.5kg TNT equivalent.	—

A1. Materials, chemicals, 'microorganisms' and 'toxins'

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A1.001	Bis(2-ethylhexyl) phosphoric acid (HDEHP or D2HPA) CAS 298-07-7 solvent in any quantity, with a purity greater than 90 %.	—

A1. Materials, chemicals, 'microorganisms' and 'toxins'

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A1.002	Fluorine gas (Chemical Abstract Number (CAS): 7782-41-4), with a purity of at least 95 %.	–
II.A1.005	<p>Electrolytic cells for fluorine production with an output capacity greater than 100 g of fluorine per hour.</p> <p><i>Note: This item does not cover electrolytic cells defined in item 1B225.</i></p>	1B225
II.A1.006	Catalysts, other than those prohibited by 1A225, containing platinum, palladium or rhodium, usable for promoting the hydrogen isotope exchange reaction between hydrogen and water for the recovery of tritium from heavy water or for the production of heavy water.	1B231, 1A225
II.A1.007	<p>Aluminium and its alloys, other than those specified in 1C002.b.4 or 1C202.a, in crude or semi-fabricated form having either of the following characteristics:</p> <p>a. Capable of an ultimate tensile strength of 460 MPa or more at 293 K (20 °C); or</p> <p>b. Having a tensile strength of 415 MPa or more at 298 K (25 °C).</p>	1C002.b.4, 1C202.a

A1. Materials, chemicals, 'microorganisms' and 'toxins'

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A1.008	Magnetic metals, of all types and of whatever form, having an initial relative permeability of 120 000 or more and a thickness between 0,05 and 0,1 mm.	1C003.a
II.A1.009	<p>'Fibrous or filamentary materials' or preregs, as follows:</p> <p>N.B. SEE ALSO II.A1.019.a.</p> <p>a. Carbon or aramid 'fibrous or filamentary materials' having either of the following characteristics:</p> <ol style="list-style-type: none"> 1. A 'specific modulus' exceeding 10×10^6 m; or 2. A 'specific tensile strength' exceeding 17×10^4 m; <p>b. Glass 'fibrous or filamentary materials' having either of the following characteristics:</p> <ol style="list-style-type: none"> 1. A 'specific modulus' exceeding $3,18 \times 10^6$ m; or 2. A 'specific tensile strength' exceeding $76,2 \times 10^3$ m; 	<p>1C010.a</p> <p>1C010.b</p> <p>1C210.a</p> <p>1C210.b</p>

A1. Materials, chemicals, 'microorganisms' and 'toxins'

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p>c. Thermoset resin-impregnated continuous 'yarns', 'rovings', 'tows' or 'tapes' with a width of 15 mm or less (once prepregs), made from carbon or glass 'fibrous or filamentary materials' other than those specified in II.A1.010.a. or b.</p> <p><i>Note: This item does not cover 'fibrous or filamentary materials' defined in items 1C010.a, 1C010.b, 1C210.a and 1C210.b.</i></p>	
II.A1.010	<p>Resin-impregnated or pitch-impregnated fibres (prepregs), metal or carboncoated fibres (preforms) or 'carbon fibre preforms', as follows:</p> <p>a. Made from 'fibrous or filamentary materials' specified in II.A1.009 above;</p> <p>b. Epoxy resin 'matrix' impregnated carbon 'fibrous or filamentary materials' (prepregs), specified in 1C010.a, 1C010.b or 1C010.c, for the repair of aircraft structures or laminates, of which the size of individual sheets does not exceed 50 cm × 90 cm;</p>	1C010.e. 1C210

A1. Materials, chemicals, 'microorganisms' and 'toxins'

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p>c. Prepregs specified in 1C010.a, 1C010.b or 1C010.c, when impregnated with phenolic or epoxy resins having a glass transition temperature (T_g) less than 433 K (160 °C) and a cure temperature lower than the glass transition temperature.</p> <p><i>Note:</i> This item does not cover 'fibrous or filamentary materials' defined in item 1C010.e.</p>	
II.A1.011	Reinforced silicon carbide ceramic composites usable for nose tips, re-entry vehicles, nozzle flaps, usable in 'missiles', other than those specified in 1C107.	1C107
II.A1.012	<p>Maraging steels, other than those specified in 1C116 or 1C216, 'capable of' an ultimate tensile strength of 2050 MPa or more, at 293 K (20 °C).</p> <p><i>Technical Note:</i></p> <p>The phrase 'maraging steel capable of' encompasses maraging steel before or after heat treatment.</p>	1C216

A1. Materials, chemicals, 'microorganisms' and 'toxins'

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A1.013	<p>Tungsten, tantalum, tungsten carbide, tantalum carbide and alloys, having both of the following characteristics:</p> <p>a. In forms having a hollow cylindrical or spherical symmetry (including cylinder segments) with an inside diameter between 50 mm and 300 mm; and</p> <p>b. A mass greater than 5 kg.</p> <p><i>Note: This item does not cover tungsten, tungsten carbide and alloys defined in item 1C226.</i></p>	1C226
II.A1.014	Elemental powders of cobalt, neodymium or samarium or alloys or mixtures thereof containing at least 20 % by weight of cobalt, neodymium or samarium, with a particle size less than 200 µm.	—
II.A1.015	Pure tributyl phosphate (TBP) [CAS No 126-73-8] or any mixture having a TBP content of more than 5 % by weight.	—
II.A1.016	<p>Maraging steel, other than those prohibited by 1C116, 1C216 or II.A1.012</p> <p><i>Technical Note:</i></p> <p><i>Maraging steels are iron alloys generally characterised by high nickel, very low carbon content and the use of substitutional elements or precipitates to produce strengthening and age-hardening of the alloy.</i></p>	—

A1. Materials, chemicals, 'microorganisms' and 'toxins'

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A1.017	<p>Metals, metal powders and material as follows:</p> <ul style="list-style-type: none"> a. Tungsten and tungsten alloys, other than those prohibited by 1C117, in the form of uniform spherical or atomized particles of 500µm diameter or less with a tungsten content of 97 % by weight or more; b. Molybdenum and molybdenum alloys, other than those prohibited by 1C117, in the form of uniform spherical or atomized particles of 500 µm diameter or less with a molybdenum content of 97 % by weight or more; c. Tungsten materials in the solid form, other than those prohibited by 1C226, or II.A1.013 having material compositions as follows: <ul style="list-style-type: none"> 1. Tungsten and alloys containing 97 % by weight or more of tungsten; 2. Copper infiltrated tungsten containing 80 % by weight or more of tungsten; or 3. Silver infiltrated tungsten containing 80 % by weight or more of tungsten. 	—

A1. Materials, chemicals, 'microorganisms' and 'toxins'

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A1.018	<p>Soft magnetic alloys having a chemical composition as follows:</p> <p>a) Iron content between 30 % and 60 %, and</p> <p>b) Cobalt content between 40 % and 60 %.</p>	—
II.A1.019	<p>"Fibrous or filamentary materials" or prepregs, not prohibited by Annex I or by Annex II (under II.A1.009, II.A1.010) of this Regulation, or not specified by Annex I of Regulation (EC) No 428/2009, as follows:</p> <p>a) Carbon "fibrous or filamentary materials";</p> <p><i>Note: II.A1.019a. does not cover fabrics.</i></p> <p>b) Thermoset resin-impregnated continuous "yarns", "rovings", "tows", or "tapes", made from carbon "fibrous or filamentary materials";</p> <p>c) Polyacrylonitrile (PAN) continuous "yarns", "rovings", "tows" or "tapes"</p>	—

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A2.001	<p>Vibration test systems, equipment and components thereof, other than those specified in 2B116:</p> <ul style="list-style-type: none"> a. Vibration test systems employing feedback or closed loop techniques and incorporating a digital controller, capable of vibrating a system at an acceleration equal to or greater than 0,1g rms between 0,1 Hz and 2 kHz and imparting forces equal to or greater than 50 kN, measured 'bare table'; b. Digital controllers, combined with specially designed vibration test 'software', with a real-time bandwidth greater than 5 kHz designed for use with vibration test systems specified in a.; c. Vibration thrusters (shaker units), with or without associated amplifiers, capable of imparting a force equal to or greater than 50 kN, measured 'bare table', and usable in vibration test systems specified in a.; d. Test piece support structures and electronic units designed to combine multiple shaker units in a system capable of providing an effective combined force equal to or greater than 50 kN, measured 'bare table', and usable in vibration systems specified in a. <p><i>Technical Note:</i></p> <p><i>'Bare table' means a flat table, or surface, with no fixture or fittings.</i></p>	2B116

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A2.002	<p>Machine tools and components and numerical controls for machine tools, as follows:</p> <p>a. Machine tools for grinding having positioning accuracies with "all compensations available" equal to or less (better) than 15 µm according to ISO 230/2 (1988) (1) or national equivalents along any linear axis;</p> <p style="text-align: center;"><i>Note: This item does not cover machine tools for grinding defined in items 2B201.b and 2B001.c.</i></p> <p>b. Components and numerical controls, specially designed for machine tools specified in 2B001, 2B201, or under a.</p>	<p>2B201.b</p> <p>2B001.c</p>
II.A2.003	<p>Balancing machines and related equipment as follows:</p> <p>a. Balancing machines, designed or modified for dental or other medical equipment, having all the following characteristics:</p> <p>1. Not capable of balancing rotors/assemblies having a mass greater than 3 kg;</p>	<p>2B119</p>

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p>2. Capable of balancing rotors/assemblies at speeds greater than 12500 rpm;</p> <p>3. Capable of correcting imbalance in two planes or more; and</p> <p>4. Capable of balancing to a residual specific imbalance of $0,2 \text{ g} \times \text{mm}$ per kg of rotor mass;</p> <p>b. Indicator heads designed or modified for use with machines specified in a. above.</p> <p><i>Technical Note:</i></p> <p><i>Indicator heads are sometimes known as balancing instrumentation.</i></p>	
II.A2.004	<p>Remote manipulators that can be used to provide remote actions in radiochemical separation operations or hot cells, other than those specified in 2B225, having either of the following characteristics:</p> <p>a. A capability of penetrating a hot cell wall of 0,3 m or more (through the wall operation); or</p> <p>b. A capability of bridging over the top of a hot cell wall with a thickness of 0,3 m or more (over the wall operation).</p>	2B225

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A2.006	<p>Furnaces capable of operation at temperatures above 400 °C as follows:</p> <p>a. Oxidation furnaces</p> <p>b. Controlled atmosphere heat treatment furnaces</p> <p><i>Note: This item does not cover tunnel kilns with roller or car conveyance, tunnel kilns with conveyor belt, pusher type kilns or shuttle kilns, specially designed for the production of glass, tableware ceramics or structural ceramics.</i></p>	<p>2B226</p> <p>2B227</p>
II.A2.007	<p>"Pressure transducers", other than those defined in 2B230, capable of measuring absolute pressures at any point in the range 0 to 200 kPa and having both of the following characteristics:</p> <p>a. Pressure sensing elements made of or protected by "Materials resistant to corrosion by uranium hexafluoride (UF₆)", and</p> <p>b. Having either of the following characteristics:</p> <ol style="list-style-type: none"> 1. A full scale of less than 200 kPa and an "accuracy" of better than ± 1 % of full scale; or 2. A full scale of 200 kPa or greater and an "accuracy" of better than 2 kPa. 	2B230

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A2.011	<p>Centrifugal separators, capable of continuous separation without the propagation of aerosols and manufactured from:</p> <ol style="list-style-type: none"> 1. Alloys with more than 25 % nickel and 20 % chromium by weight; 2. Fluoropolymers; 3. Glass (including vitrified or enamelled coating or glass lining); 4. Nickel or alloys with more than 40 % nickel by weight; 5. Tantalum or tantalum alloys; 6. Titanium or titanium alloys; or 7. Zirconium or zirconium alloys. <p><i>Note: This item does not cover centrifugal separators defined in item 2B352.c.</i></p>	2B352.c

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A2.012	<p>Sintered metal filters made of nickel or nickel alloy with more than 40 % nickel by weight.</p> <p><i>Note: This item does not cover filters defined in item 2B352.d.</i></p>	2B352.d
II.A2.013	<p>Spin-forming machines and flow-forming machines, other than those controlled by 2B009, 2B109 or 2B209, having a roller force of more than 60 kN and specially designed components therefor.</p> <p><i>Technical Note:</i></p> <p><i>For the purpose of II.A2.013, machines combining the functions of spin-forming and flow-forming are regarded as flow-forming machines.</i></p>	—
II.A2.014	<p>Liquid-liquid contacting equipment (mixer-settlers, pulsed columns, centrifugal contactors); and liquid distributors, vapour distributors or liquid collectors designed for such equipment where all surfaces that come in direct contact with the chemical(s) being processed are any of the following:</p> <p>N.B. SEE ALSO IV.A2.008.</p> <p>a. Made from any of the following materials:</p> <ol style="list-style-type: none"> 1. Alloys with more than 25 % nickel and 20 % chromium by weight; 2. Fluoropolymers; 3. Glass (including vitrified or enamelled coating or glass lining); 4. Graphite or 'carbon graphite'; 5. Nickel or alloys with more than 40 % nickel by weight; 6. Tantalum or tantalum alloys; 7. Titanium or titanium alloys; or 	2B350.e

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p style="text-align: center;">8. Zirconium or zirconium alloys; <u>or</u></p> <p>b. Made from both stainless steel <u>and</u> one or more of the materials specified in II.A2.014.a.</p> <p><i>Technical Note:</i></p> <p><i>'Carbon graphite' is a composition consisting of amorphous carbon and graphite, in which the graphite content is 8 % or more by weight.</i></p>	
II.A2.015	<p>Industrial equipment and components, other than those specified in 2B350.d, as follows:</p> <p>N.B. SEE ALSO IV.A2.009.</p> <p>Heat exchangers or condensers with a heat transfer surface area greater than 0,05 m², and less than 30 m²; and tubes, plates, coils or blocks (cores) designed for such heat exchangers or condensers, where all surfaces that come in direct contact with the fluid(s) are any of the following:</p> <p>a. Made from any of the following materials:</p> <ol style="list-style-type: none"> 1. Alloys with more than 25 % nickel and 20 % chromium by weight; 2. Fluoropolymers; 3. Glass (including vitrified or enamelled coating or glass lining); 4. Graphite or 'carbon graphite'; 5. Nickel or alloys with more than 40 % nickel by weight; 6. Tantalum or tantalum alloys; 7. Titanium or titanium alloys; 8. Zirconium or zirconium alloys; 9. Silicon carbide; or 10. Titanium carbide; <u>or</u> 	2B350.d

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p>b. Made from both stainless steel and one or more of the materials specified in II.A2.015.a.</p> <p><i>Note:</i> This item does not cover vehicle radiators.</p> <p><i>Technical Note:</i></p> <p>The materials used for gaskets and seals and other implementation of sealing functions do not determine the status of control of the heat exchanger.</p>	
II.A2.016	<p>Multiple-seal, and seal-less pumps, other than those specified in 2B350.i, suitable for corrosive fluids, with manufacturer's specified maximum flow-rate greater than 0,6 m³/hour, or vacuum pumps with manufacturer's specified maximum flow-rate greater than 5 m³/hour [measured under standard temperature (273 K or 0 °C) and pressure (101,3 kPa) conditions]; and casings (pump bodies), preformed casing liners, impellers, rotors or jet pump nozzles designed for such pumps, in which all surfaces that come in direct contact with the chemical(s) being processed are any of the following:</p> <p>NB. SEE ALSO IV.A2.010.</p> <p>a. Made from any of the following materials:</p> <ol style="list-style-type: none"> 1. Alloys with more than 25 % nickel and 20 % chromium by weight; 2. Ceramics; 3. Ferrosilicon; 4. Fluoropolymers; 5. Glass (including vitrified or enamelled coatings or glass lining); 6. Graphite or 'carbon graphite' 7. Nickel or alloys with more than 40 % nickel by weight; 	2B350.i

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p>8. Tantalum or tantalum alloys;</p> <p>9. Titanium or titanium alloys;</p> <p>10. Zirconium or zirconium alloys;</p> <p>11. Niobium (columbium) or niobium alloys; or</p> <p>12. Aluminium alloys; <u>or</u></p> <p>b. Made from both stainless steel <u>and</u> one or more of the materials specified in II.A2.016.a.</p> <p><i><u>Technical Note:</u></i></p> <p><i>The materials used for gaskets and seals and other implementation of sealing functions do not determine the status of control of the pump.</i></p>	

A3. Electronics

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A3.001	<p>High voltage direct current power supplies having both of the following characteristics:</p> <p>a. Capable of continuously producing, over a time period of eight hours, 10 kV or more, with output power of 5 kW or more with or without sweeping; and</p> <p>b. Current or voltage stability better than 0,1 % over a time period of four hours.</p> <p><i>Note: This item does not cover power supplies defined in items 0B001.j.5 and 3A227.</i></p>	3A227
II.A3.002	<p>Mass spectrometers, other than those specified in 3A233 or 0B002.g, capable of measuring ions of 200 atomic mass units or more and having a resolution of better than 2 parts in 200, as follows, and ion sources thereof:</p> <p>a. Inductively coupled plasma mass spectrometers (ICP/MS);</p> <p>b. Glow discharge mass spectrometers (GDMS);</p>	3A233

A3. Electronics

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p>c. Thermal ionisation mass spectrometers (TIMS);</p> <p>d. Electron bombardment mass spectrometers which have a source chamber constructed from, lined with or plated with 'materials resistant to corrosion by uranium hexafluoride UF₆';</p> <p>e. Molecular beam mass spectrometers having either of the following characteristics:</p> <ol style="list-style-type: none"> 1. A source chamber constructed from, lined with or plated with stainless steel or molybdenum and equipped with a cold trap capable of cooling to 193 K (– 80°C) or less; or 2. A source chamber constructed from, lined with or plated with 'materials resistant to corrosion by uranium hexafluoride (UF₆)'; <p>f. Mass spectrometers equipped with a microfluorination ion source designed for actinides or actinide fluorides.</p>	

A3. Electronics

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A3.003	<p>Frequency changers or generators, other than those prohibited by 0B001 or 3A225, having all of the following characteristics, and specially designed components and software therefor:</p> <ul style="list-style-type: none"> a. Multiphase output capable of providing a power of 40 W or greater; b. Capable of operating in the frequency range between 600 and 2000 Hz; and c. Frequency control better (less) than 0,1 %. <p><i>Technical Note:</i></p> <p><i>Frequency changers in II.A3.003 are also known as converters or inverters.</i></p>	—

A6. Sensors and Lasers

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A6.001	Yttrium aluminium garnet (YAG) rods	–
II.A6.002	Optical equipment and components, other than those specified in 6A002, 6A004.b as follows: Infrared optics in the wavelength range 9000 nm – 17000 nm and components thereof, including cadmium telluride (CdTe) components.	6A002 6A004.b
II.A6.003	Wave front corrector systems for use with a laser beam having a diameter exceeding 4 mm, and specially designed components thereof, including control systems, phase front sensors and 'deformable mirrors' including bimorph mirrors. <i>Note: This item does not cover mirrors defined in 6A004.a, 6A005.e and 6A005.f.</i>	6A003
II.A6.004	Argon ion "lasers" having an average output power equal to or greater than 5 W. <i>Note: This item does not cover argon ion 'lasers' defined in items 0B001.g.5, 6A005 and 6A205.a.</i>	6A005.a.6 6A205.a

A6. Sensors and Lasers

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A6.005	<p>Semiconductor "lasers" and components thereof, as follows:</p> <ul style="list-style-type: none"> a. Individual semiconductor "lasers" with an output power greater than 200 mW each, in quantities larger than 100; b. Semiconductor "laser" arrays having an output power greater than 20 W. <p><i>Notes:</i></p> <ul style="list-style-type: none"> 1. <i>Semiconductor "lasers" are commonly called "laser" diodes.</i> 2. <i>This item does not cover "lasers" defined in items 0B001.g.5, 0B001.h.6 and 6A005.b.</i> 3. <i>This item does not cover "laser" diodes with a wavelength in the range 1200 nm – 2000 nm.</i> 	6A005.b

A6. Sensors and Lasers

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A6.006	<p>Tunable semiconductor "lasers" and tunable semiconductor 'laser' arrays, of a wavelength between 9 μm and 17 μm, as well as array stacks of semiconductor 'lasers' containing at least one tunable semiconductor 'laser' array of such wavelength.</p> <p><i>Notes:</i></p> <ol style="list-style-type: none"> 1. <i>Semiconductor "lasers" are commonly called "laser" diodes.</i> 2. <i>This item does not cover semiconductor "lasers" defined in items 0B001.h.6 and 6A005.b</i> 	6A005.b
II.A6.007	<p>Solid state "tunable" "lasers" and specially designed components thereof as follows:</p> <ol style="list-style-type: none"> a. Titanium-sapphire lasers, b. Alexandrite lasers. <p><i>Note: This item does not cover titanium-sapphire and alexandrite lasers defined in items 0B001.g.5, 0B001.h.6 and 6A005.c.1.</i></p>	6A005.c.1

A6. Sensors and Lasers

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A6.008	<p>Neodymium-doped (other than glass) "lasers", having an output wavelength greater than 1000 nm but not exceeding 1100 nm and output energy exceeding 10 J per pulse.</p> <p><i>Note: This item does not cover neodymium-doped (other than glass) 'lasers' defined in item 6A005.c.2.b.</i></p>	6A005.c.2
II.A6.009	<p>Components of acousto-optics, as follows:</p> <ul style="list-style-type: none"> a. Framing tubes and solid-state imaging devices having a recurrence frequency equal to or exceeding 1kHz; b. Recurrence frequency supplies; c. Pockels cells. 	6A203.b.4.c
II.A6.010	<p>Radiation-hardened cameras, or lenses thereof, other than those specified in 6A203.c., specially designed, or rated as radiation-hardened, to withstand a total radiation dose greater than 50×10^3 Gy(silicon) (5×10^6 rad (silicon)) without operational degradation.</p> <p><i>Technical Note:</i></p> <p><i>The term Gy(silicon) refers to the energy in Joules per kilogram absorbed by an unshielded silicon sample when exposed to ionising radiation.</i></p>	6A203.c

A6. Sensors and Lasers

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A6.011	<p>Tunable pulsed dye laser amplifiers and oscillators, having all of the following characteristics:</p> <ol style="list-style-type: none"> 1. Operating at wavelengths between 300 nm and 800 nm; 2. An average output power greater than 10 W but not exceeding 30 W; 3. A repetition rate greater than 1 kHz; and 4. Pulse width less than 100 ns. <p><i>Notes:</i></p> <ol style="list-style-type: none"> 1. <i>This item does not cover single mode oscillators.</i> 2. <i>This item does not cover tunable pulsed dye laser amplifiers and oscillators defined in item 6A205.c, 0B001.g.5 and 6A005.</i> 	6A205.c

A6. Sensors and Lasers

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A6.012	<p>Pulsed carbon dioxide "lasers" having all of the following characteristics:</p> <ol style="list-style-type: none"> 1. Operating at wavelengths between 9000 nm and 11000 nm; 2. A repetition rate greater than 250 Hz; 3. An average output power greater than 100 W but not exceeding 500 W; and 4. Pulse width less than 200 ns. <p><i>Note: This item does not cover pulsed carbon dioxide laser amplifiers and oscillators defined in item 6A205.d., 0B001.h.6. and 6A005.d.</i></p>	6A205.d
II.A6.013	<p>Copper vapour 'lasers' having both of the following characteristics:</p> <ol style="list-style-type: none"> 1. Operating at wavelengths between 500 and 600 nm; and 2. An average output power equal to or greater than 15W. 	6A005.b
II.A6.014	<p>Pulsed carbon monoxide 'lasers' having all of the following characteristics:</p> <ol style="list-style-type: none"> 1. Operating at wavelengths between 5000 and 6000 nm; 2. A repetition rate greater than 250 Hz; 3. An average output power greater than 100 W; and 4. Pulse width of less than 200 ns. <p><i>Note: This item does not control the higher power (typically 1 to 5 kW) industrial carbon monoxide lasers used in applications such as cutting and welding, as these latter lasers are either continuous wave or are pulsed with a pulse width greater than 200 ns.</i></p>	

A7. Navigation and Avionics

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A7.001	<p>Inertial navigation systems and specially designed components thereof, as follows:</p> <p>I. Inertial navigation systems which are certified for use on "civil aircraft" by civil authorities of a State participating in the Wassenaar Arrangement, and specially designed components thereof, as follows:</p> <p>a. Inertial navigation systems (INS) (gimballed or strapdown) and inertial equipment designed for "aircraft", land vehicle, vessels (surface or underwater) or 'spacecraft' for attitude, guidance or control, having any of the following characteristics, and specially designed components thereof:</p> <ol style="list-style-type: none"> 1. Navigation error (free inertial) subsequent to normal alignment of 0,8 nautical mile per hour (nm/hr) 'Circular Error Probable' (CEP) or less (better); or 2. Specified to function at linear acceleration levels exceeding 10 g; 	<p>7A003</p> <p>7A103</p>

A7. Navigation and Avionics

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<ul style="list-style-type: none"> b. Hybrid Inertial Navigation Systems embedded with Global Navigation Satellite Systems(s) (GNSS) or with "Data-Based Referenced Navigation" ("DBRN") System(s) for attitude, guidance or control, subsequent to normal alignment, having an INS navigation position accuracy, after loss of GNSS or "DBRN" for a period of up to four minutes, of less (better) than 10 metres 'Circular Error Probable' (CEP); c. Inertial Equipment for Azimuth, Heading, or North Pointing having any of the following characteristics, and specially designed components thereof: <ul style="list-style-type: none"> 1. Designed to have an Azimuth, Heading, or North Pointing accuracy equal to, or less (better) than 6 arc/ minutes RMS at 45 degrees latitude; or 2. Designed to have a non-operating shock level of at least 900 g at a duration of at least 1 msec. 	

A7. Navigation and Avionics

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p><i>Note: The parameters of I.a. and I.b. are applicable with any of the following environmental conditions:</i></p> <ol style="list-style-type: none"> 1. <i>Input random vibration with an overall magnitude of 7,7 g rms in the first half hour and a total test duration of one and a half hours per axis in each of the three perpendicular axes, when the random vibration meets the following:</i> <ol style="list-style-type: none"> a. <i>A constant power spectral density (PSD) value of 0,04 g²/Hz over a frequency interval of 15 to 1000 Hz; and</i> b. <i>The PSD attenuates with a frequency from 0,04 g²/Hz to 0,01 g²/Hz over a frequency interval from 1000 to 2000 Hz;</i> 2. <i>A roll and yaw rate equal to or greater than +2,62 radian/s (150 deg/s); or</i> 3. <i>According to national standards equivalent to 1. or 2. above.</i> 	

A7. Navigation and Avionics

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p><u>Technical Notes:</u></p> <ol style="list-style-type: none"> 1. <i>I.b. refers to systems in which an INS and other independent navigation aids are built into a single unit (embedded) in order to achieve improved performance.</i> 2. <i>'Circular Error Probable' (CEP) – In a circular normal distribution, the radius of the circle containing 50 percent of the individual measurements being made, or the radius of the circle within which there is a 50 percent probability of being located.</i> <p>II. Theodolite systems incorporating inertial equipment specially designed for civil surveying purposes and designed to have an Azimuth, Heading, or North Pointing accuracy equal to, or less (better) than 6 arc minutes RMS at 45 degrees latitude, and specially designed components thereof.</p> <p>III. Inertial or other equipment using accelerometers specified in 7A001 or 7A101, where such accelerometers are specially designed and developed as MWD (Measurement While Drilling) sensors for use in downhole well services operations.</p>	

A9. Aerospace and Propulsion

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.A9.001	Explosive bolts.	—

II.B. TECHNOLOGY

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
II.B.001	Technology required for the development, production, or use of the items in Part II.A. (Goods) above.	—
II.B.002	<p>Technology required for the development or production of the items in Part IV A. (Goods) of Annex IV.</p> <p><i>Technical Note:</i></p> <p><i>The term 'technology' includes software.</i></p>	—

ANNEX III

Goods and technology referred to in Articles 3(1), (3) and (5), 5(2), 8(4), 18(1), 46 and 32(1)

Introductory Notes

1. Unless otherwise stated, reference numbers used in the column below entitled 'Description' refer to the descriptions of dual use items and technology set out in Annex I to Regulation (EC) No 428/2009.
2. A reference number in the column below entitled 'Related item from Annex I to Regulation (EC) No 428/2009' means that the characteristics of the item described in the 'Description' column lie outside the parameters set out in the description of the dual use entry referred to.
3. Definitions of terms between 'single quotation marks' are given in a technical note to the relevant item.
4. Definitions of terms between "double quotation marks" can be found in Annex I to Regulation (EC) No 428/2009.

General Notes

1. The object of the controls contained in this Annex should not be defeated by the export of any non-controlled goods (including plant) containing one or more controlled components when the controlled component or components is/are the principal element of the goods and can feasibly be removed or used for other purposes.

N.B.: In judging whether the controlled component or components is/are to be considered the principal element, it is necessary to weigh the factors of quantity, value and technological know-how involved and other special circumstances which might establish the controlled component or components as the principal element of the goods being procured.

2. The goods specified in this Annex include both new and used goods.

General Technology Note (GTN)

(To be read in conjunction with Section III.B)

1. The sale, supply, transfer or export of "technology" which is "required" for the "use" of goods the sale, supply, transfer or export of which is controlled in Part A (Goods) below, is controlled in accordance with the provisions of Section III.B.
2. The sale, supply, transfer or export of "technology" which is "required" for the "development" or "production" of goods the sale, supply, transfer or export of which is controlled in Part A (Goods) below, is prohibited in accordance with the provisions of Annex II, Section II.B.
3. The "technology" "required" for the "use" of goods under control remains under control even when it is applicable to non-controlled goods.

4. Controls do not apply to that “technology” which is the minimum necessary for the installation, operation, maintenance (checking) and repair of those goods which are not controlled or the export of which has been authorised in accordance with Regulation (EC) No 423/2007 or This Regulation.
5. Controls on “technology” transfer do not apply to information “in the public domain”, to “basic scientific research” or to the minimum necessary information for patent applications.

III.A. GOODS

A0. Nuclear Materials, Facilities, and Equipment

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A0.015	<p>‘Glove Boxes’, specially designed for radioactive isotopes, radioactive sources or radionuclides.</p> <p><i>Technical Note:</i></p> <p><i>‘Glove Boxes’ means equipment providing protection to the user, from hazardous vapour, particles or radiation, from materials inside the equipment being handled or processed by a person outside the equipment, by means of manipulators or gloves integrated into the equipment.</i></p>	0B006
III.A0.016	Toxic gas monitoring systems designed for continuous operation and detection of Hydrogen Sulphide, and specially designed detectors therefore.	0A001 0B001.c
III.A0.017	Helium Leak Detectors.	0A001 0B001.c

A1. Materials, chemicals, 'micro-organisms' and 'toxins'

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A1.003	<p>Ring-shaped seals and gaskets, having an inner diameter of 400mm or less, made of any of the following materials:</p> <ul style="list-style-type: none"> a. Copolymers of vinylidene fluoride having 75 % or more beta crystalline structure without stretching; b. Fluorinated polyimides containing 10 % by weight or more of combined fluorine; c. Fluorinated phosphazene elastomers containing 30 % by weight or more of combined fluorine; d. Polychlorotrifluoroethylene (PCTFE, e.g. Kel-F ®); e. Fluoro-elastomers (e.g., Viton ®, Tecnoflon ®); f. Polytetrafluoroethylene (PTFE). 	
III.A1.004	<p>Personal equipment for detecting radiation of nuclear origin, including personal dosimeters.</p> <p><i>Note: This item does not cover nuclear detection systems defined in item 1A004.c.</i></p>	1A004.c
III.A1.020	<p>Steel alloys in sheet or plate form, having any of the following characteristics:</p> <ul style="list-style-type: none"> (a) Steel alloys 'capable of' ultimate tensile strength of 1200 MPa or more, at 293K (20°C); or (b) Nitrogen-stabilised duplex stainless steel. <p><i>Note: The phrase alloys 'capable of' encompasses alloys before or after heat treatment</i></p> <p><i>Technical Note: 'Nitrogen-stabilised duplex stainless steel' has a two-phase microstructure consisting of grains of ferritic and austenitic steel with the addition of nitrogen to stabilise the microstructure.</i></p>	1C116 1C216
III.A1.021	Carbon-Carbon Composite material.	1A002.b.1
III.A1.022	Nickel alloys in crude or semi-fabricated form, containing 60%	1C002.c.1.a

A1. Materials, chemicals, 'micro-organisms' and 'toxins'

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	by weight or more nickel.	
III.A1.023	<p>Titanium alloys in sheet or plate form 'capable of' an ultimate tensile strength of 900 MPa or more at 293 K (20°C).</p> <p><i>Note: The phrase alloys 'capable of' encompasses alloys before or after heat treatment</i></p>	1C002.b.3
III.A1.024	<p>Propellants and constituent chemicals for propellants as follows:</p> <ul style="list-style-type: none"> (a) Toluene Diisocyanate (TDI) (b) Methyl Diphenyl Diisocyanate (MDI) (c) Isophorone Diisocyanate (IPDI) (d) Sodium Perchlorate (e) Xylidine (f) Hydroxy Terminated Polyether (HTPE) (g) Hydroxy Terminated Caprolactone Ether (HTCE) <p><i>Technical Note: This item refers to pure substance and any mixture containing at least 50% of one of the chemicals mentioned above.</i></p>	1C111
III.A1.025	<p>'Lubricating materials' containing, as their principal ingredients, any of the following:</p> <ul style="list-style-type: none"> a) Perfluoroalkylether, (CAS 60164-51-4); b) Perfluoropolyalkylether, PFPE, (CAS 6991-67-9). <p><i>'Lubricating materials' means oils and fluids.</i></p>	1C006
III.A1.026	<p>Beryllium-Copper or Copper-Beryllium Alloys in plate, sheet, strip or rolled bar form, having a composition comprising Copper as the major element by weight and other elements including less than 2% by weight Beryllium.</p>	1C002.b

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A2.008	<p>Liquid-liquid contacting equipment (mixer-settlers, pulsed columns, centrifugal contactors); and liquid distributors, vapour distributors or liquid collectors designed for such equipment, where all surfaces that come in direct contact with the chemical(s) being processed are made from the following materials:</p> <p>N.B. SEE ALSO II.A2.014</p> <p>1. Stainless steel.</p> <p><i>Note: for stainless steel with more than 25% nickel and 20% chromium by weight see entry II.A2.014.a</i></p>	2B350.e
III.A2.009	<p>Industrial equipment and components, other than those specified in 2B350.d, as follows:</p> <p>N.B. SEE ALSO II.A2.015</p> <p>Heat exchangers or condensers with a heat transfer surface area greater than 0,05 m², and less than 30 m²; and tubes, plates, coils or blocks (cores) designed for such heat exchangers or condensers, where all surfaces that come in direct contact with the fluid(s) are made from the following materials:</p> <p>1. Stainless steel.</p> <p><i>Note 1: for stainless steel with more than 25% nickel and 20% chromium by weight see entry II.A2.015a</i></p> <p><i>Note 2: This item does not cover vehicle radiators.</i></p>	2B350.d

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p><i><u>Technical Note:</u></i></p> <p><i>The materials used for gaskets and seals and other implementation of sealing functions do not determine the status of control of the heat exchanger.</i></p>	

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A2.010	<p>Multiple-seal, and seal-less pumps, other than those specified in 2B350.i, suitable for corrosive fluids, with manufacturer's specified maximum flow-rate greater than 0,6 m³/hour, or vacuum pumps with manufacturer's specified maximum flow-rate greater than 5 m³/hour [measured under standard temperature (273 K or 0 °C) and pressure (101,3kPa) conditions]; and casings (pump bodies), preformed casing liners, impellers, rotors or jet pump nozzles designed for such pumps, in which all surfaces that come in direct contact with the chemical(s) being processed are made from the following materials:</p> <p>N.B. SEE ALSO II.A2.016</p>	2B350.i

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
	<p>1. Stainless steel;</p> <p>Note: for stainless steel with more than 25% nickel and 20% chromium by weight see entry II.A2.016a</p> <p><i>Technical Note:</i></p> <p><i>The materials used for gaskets and seals and other implementation of sealing functions do not determine the status of control of the pump.</i></p>	

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A2.017	<p>Electrical Discharge Machine (EDM) tools for removing or cutting metals, ceramics or “composites”, as follows, and specially designed ram, sinker or wire electrodes therefor:</p> <p>(a) Ram or sinker electrode Electrical Discharge Machines;</p> <p>(b) Wire electrode Electrical Discharge Machines.</p> <p><i>Note: Electrical Discharge Machines are also known as Spark Erosion Machines or Wire Erosion Machines.</i></p>	2B001.d

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A2.018	<p>Computer controlled or "numerically controlled" co-ordinate measuring machines (CMM), or dimensional inspection machines, having a three dimensional (volumetric) maximum permissible error of indication (MPP_E) at any point in the operating range of the machine (i.e. within the length axes) equal to or less (better) than $(3 + L/1000) \mu\text{m}$ (L is the measured length in mm), tested according to ISO 10360-2 (2001), and measurement probes designed therefor.</p>	<p>2B006.a 2B206.a</p>

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A2.019	Computer controlled or "numerically controlled" Electron Beam Welding Machines, and specially designed components therefor.	2B001.e.1.b

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A2.020	Computer controlled or "numerically controlled" Laser Welding and Laser Cutting Machines, and specially designed components therefor.	2B001.e.1.c

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A2.021	Computer controlled or "numerically controlled" Plasma Cutting Machines, and specially designed components therefor.	2B001.e.1

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A2.022	Vibration Monitoring Equipment specially designed for rotors or rotating equipment and machinery, capable of measuring any frequency in the range 600-2000 Hz.	2B116

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A2.023	Liquid Ring Vacuum Pumps, and specially designed components therefore.	2B231 2B350.i

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A2.024	<p>Rotary Vane Vacuum Pumps, and specially designed components therefore.</p> <p>Note 1: III.A2.024 does not control rotary vane vacuum pumps that are specially designed for specific other equipment.</p> <p>Note 2: The control status of rotary vane vacuum pumps that are specially designed for specific other equipment is determined by the control status of the other equipment</p>	<p>2B231</p> <p>2B235.i</p> <p>0B002.f</p>

A2. Materials Processing

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A2.025	<p>Air filters, as follows, having one or more physical size dimension exceeding 1000 mm:</p> <ul style="list-style-type: none"> a) High Efficiency Particulate Air (HEPA) filters; b) Ultra-Low Penetration Air (ULPA) filters. <p>Note: III.A2.025 does not control air filters specially designed for medical equipment.</p>	2B352.d

A3. Electronics

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A3.004	Spectrometers and diffractometers, designed for the indicative test or quantitative analysis of the elemental composition of metals or alloys without chemical decomposition of the material.	
III.A3.005	<p>‘Frequency Changers’, Frequency Generators and Variable Speed electrical drives, having all the following characteristics:</p> <ul style="list-style-type: none"> (a) Multiphase output power of 10 W or greater; (b) Capable of operating at a frequency of 600 Hz or more; and (c) Frequency control better (less) than 0.2%. <p><i>Technical Note:</i></p> <p><i>‘Frequency Changers’ includes frequency converters and frequency inverters.</i></p> <p>Notes:</p> <ol style="list-style-type: none"> 1. Item III.A3.005 does not control frequency changers that include communication protocols or interfaces designed for specific industrial machinery (such as machine tools, spinning machines, printed circuit board machines) so that the frequency changers cannot be used for other purposes while meeting the performance characteristics above. 2. Item III.A3.005 does not control frequency changers specially designed for vehicles and which operate with a control sequence that is mutually communicated between the frequency changer and the vehicle control unit. 	<p>3A225</p> <p>0B001.b.13</p>

A6. Sensors and Lasers

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A6.012	<p>‘Vacuum pressure gauges’, being electrically powered and having measurement accuracy of 5% or less (better).</p> <p><i>‘Vacuum pressure gauges’ include Pirani Gauges, Penning Gauges and Capacitance Manometers.</i></p>	0B001.b
III.A6.013	<p>Microscopes and related equipment and detectors, as follows:</p> <ul style="list-style-type: none"> a) Scanning Electron Microscopes; b) Scanning Auger Microscopes; c) Transmission Electron Microscopes; d) Atomic Force Microscopes; e) Scanning Force Microscopes; f) Equipment and detectors, specially designed for use with the microscopes specified in III.A6.013 a) to e) above, employing any of the following materials analysis techniques: <ul style="list-style-type: none"> 1. X-ray Photo Spectroscopy (XPS); 2. Energy-dispersive X-ray Spectroscopy (EDX, EDS); or 3. Electron Spectroscopy for Chemical Analysis (ESCA). 	6B

A7. Navigation and Avionics

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A7.002	Accelerometers containing piezoelectric ceramic transducer element, having a sensitivity of 1000 mV/g or better (higher)	7A001

A9. Aerospace and Propulsion

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.A9.002	<p>‘Load Cells’ capable of measuring rocket motor thrust having a capacity exceeding 30kN.</p> <p><i>Technical Note:</i></p> <p>‘Load Cells’ means devices and transducers for the measurement of force in both tension and in compression.</p> <p><i>Note: III.A9.002 does not include equipment, devices or transducers, specially designed for the measurement of the weight of vehicles, e.g. weigh bridges.</i></p>	9B117
III.A9.003	<p>Electrical power generation gas turbines, components and related equipment as follows:</p> <p>(a) Gas Turbines specially designed for electrical power generation, having an output exceeding 200 MW;</p> <p>(b) Vanes, Stators, Combustion Chambers and Fuel Injection Nozzles, specially designed for electrical power generation gas turbines specified in III.A9.003.a;</p> <p>(c) Equipment specially designed for the “development” and “production” of electrical power generation gas turbines specified in III. A9.003.a.</p>	<p>9A001</p> <p>9A002</p> <p>9A003</p> <p>9B001</p> <p>9B003</p> <p>9B004</p>

III.B. TECHNOLOGY

No	Description	Related item from Annex I to Regulation (EC) No 428/2009
III.B.001	<p>‘Technology’ required for the use of the items in Part III.A. (Goods) above.</p> <p><i>Technical Note:</i></p> <p><i>The term ‘technology’ includes software.</i></p>	

ANNEX IV

List of 'crude oil and petroleum products' referred to in Articles 11 and 32(1)

HS Code	Description
2707	Oils and other products of the distillation of high temperature coal tar; similar products in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents.
2709 00	Petroleum oils and oils obtained from bituminous minerals, crude.
2709 00 10	Natural gas condensates
2709 00 90	Other
2710	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; waste oils (save that the purchase, in Iran, of kerosene jet fuel of CN code 2710 19 21 is not prohibited provided that it is intended and used solely for the purpose of the continuation of the flight operation of the aircraft into which it is loaded).
2710 11	Light oils and preparations
2710 19	Other
2711	Petroleum gases and other gaseous hydrocarbons
2711 11	Natural gas
2711 12	Propane
2711 13	Butanes
2711 14	Ethylene, propylene, butylene and butadiene
2711 19	Liquefied petroleum gas
2711 21	Natural gas
2711 29	Other
2712	Petroleum jelly; paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured.
2712 10	Petroleum jelly
2712 20	Paraffin wax containing by weight less than 0,75 % of oil
2712 90	Other

- 2713 Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals.
- 2713 90 Other residues of petroleum oils or of oils obtained from bituminous minerals
- 2714 Bitumen and asphalt, natural; bituminous or oil-shale and tar sands; asphaltites and asphaltic rocks.
- 2715 00 00 Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs).
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ANNEX V

List of 'petrochemical products' referred to in Articles 13 and 32(1)

HS Code	Description
2707 10	Benzol (benzene)
2707 20	Toluol (toluene)
2707 30	Xylol (xylenes)
2707 40	Naphthalene
2711 14	Ethylene, propylene, butadiene
2901 21	Ethylene
2901 22	Propene (propylene)
2902 20	Benzene
2902 30	Toluene
2902 41	<i>o</i> -Xylene
2902 42	<i>m</i> -Xylene
2902 43	<i>p</i> -Xylene
2902 44	Mixed xylene isomers
2910 10	Oxirane (ethylene oxide)
2905 31	Ethylene glycol (ethanediol)
2910 20	Methyloxirane (propylene oxide)
2905 12	Propan-1-ol (propyl alcohol) and propan-2-ol (isopropyl alcohol)
2914 11	Acetone
2917 35	Phthalic anhydride (PA)
2917 14	Maleic anhydride (MA)
2707 99 80	Phenols
2907 11 to 2907 19	Phenols
2902 50	Styrene
3901 10	Polyethylene having a specific gravity of less than 0,94

3901 20 Polyethylene having a specific gravity of 0,94 or more
3901 30 00 Ethylene-vinyl acetate copolymers
3901 90 Other
2902 70 Cumene
2905 13 Butan-1-ol (n-butyl alcohol)
2917 36 Terephthalic acid and its salts
2917 37 Dimethyl terephthalate (DMT)
2926 10 Acrylonitrile
2812 10 Phosgene (carbonyl chloride)
2929 10 Methylene diphenyl diisocyanate (MDI)
2929 10 Hexamethylene diisocyanate (HDI)
2929 10 Toluene diisocyanate (TDI)
2905 11 Methanol (methyl alcohol)
2814 10 to 2814 20 Ammonia
3102 10 Urea



ANNEX VI

List of key equipment and technology referred to in Articles 8 and 32(1)

General Notes

1. The object of the prohibitions contained in this Annex should not be defeated by the export of any non-prohibited goods (including plant) containing one or more prohibited components when the prohibited component or components are the principal element of the goods and can feasibly be removed or used for other purposes.

N.B.: In judging whether the prohibited component or components are to be considered the principal element, it is necessary to weigh the factors of quantity, value and technological know-how involved and other special circumstances which might establish the prohibited component or components as the principal element of the goods being procured.

2. The goods specified in this Annex include both new and used goods.
3. Definitions of terms between 'single quotation marks' are given in a technical note to the relevant item.
4. Definitions of terms between "double quotation marks" can be found in Annex I to Regulation (EC) No 428/2009.

General Technology Note (GTN)

1. The "technology" "required" for the "development", "production" or "use" of prohibited goods remains under prohibition even when applicable to non-prohibited goods.
2. Prohibitions do not apply to that "technology" which is the minimum necessary for the installation, operation, maintenance (checking) and repair of those goods which are not prohibited or the export of which has been authorised in accordance with Regulation (EC) No 423/2007 or this Regulation.
3. Prohibitions on "technology" transfer do not apply to information "in the public domain", to "basic scientific research" or to the minimum necessary information for patent applications.

Exploration and production of crude oil and natural gas

1.A Equipment

1. Geophysical survey equipment, vehicles, vessels and aircraft specially designed or adapted to acquire data for oil and gas exploration and specially designed components therefore.
2. Sensors specially designed for downhole well operations in oil and gas wells, including sensors used for measurement whilst drilling and the associated equipment specially designed to acquire and store data from such sensors.
3. Drilling equipment designed to drill rock formations, specifically for the purpose of exploring for, or producing oil, gas and other naturally occurring, hydrocarbon materials.

4. Drill bits, drill pipes, drill collars, centralisers and other equipment, specially designed for use in and with oil and gas well drilling equipment.
5. Drilling wellheads, 'blowout preventers' and 'Christmas or production trees' and the specially designed components thereof, meeting the 'API and ISO specifications' for use with oil and gas wells.

Technical Notes:

- a. A 'blowout preventer' is a device typically used at ground level (or if drilling underwater, at the seabed) during drilling to prevent the uncontrolled escape of oil and/or gas from the well.
 - b. A 'Christmas tree or production tree' is a device typically used to control flow of fluids from the well when it is complete and oil and/or gas production has started.
 - c. For the purpose of this item, 'API and ISO specifications' refers to the American Petroleum Institute specifications 6A, 16A, 17D and 11IW and/or the International Standards Organisation specifications 10423 and 13533 for blowout preventers, wellhead and Christmas trees for use on oil and/or gas wells.
6. Drilling and production platforms for crude oil and natural gas.
 7. Vessels and barges incorporating drilling and/or petroleum processing equipment used for producing oil, gas and other naturally occurring flammable materials.
 8. Liquid/gas separators meeting API specification 12J, specially designed to process the production from an oil or gas well, to separate the petroleum liquids from any water and any gas from the liquids.
 9. Gas compressor with a design pressure of 40 bar (PN 40 and/or ANSI 300) or more and having a suction volume capacity of 300 000 Nm³/h or more, for the initial processing and transmission of natural gas, excluded gas compressors for CNG (Compressed Natural Gas) filling stations, and specially designed components therefore.
 10. Subsea production control equipment and the components thereof meeting 'API and ISO specifications' for use with oil and gas wells.

Technical Note:

For the purposes of this entry, 'API and ISO specifications' refers to the American Petroleum Institute specification 17 F and/or the International Standards Organisation specification 13268 for subsea production control systems.

11. Pumps, typically high capacity and/or high pressure (in excess of 0.3 m³ per minute and/or 40 bar), specially designed to pump drilling muds and/or cement into oil and gas wells.

1.B Test and inspection equipment

1. Equipment specially designed for sampling, testing and analysing the properties of drilling mud, oil well cements and other materials specially designed and/or formulated for use in oil and gas wells.

2. Equipment specially designed for sampling, testing and analysing the properties of rock samples, liquid and gaseous samples and other materials taken from an oil and/or gas well either during or after drilling, or from the initial processing facilities attached thereto.
3. Equipment specially designed for collecting and interpreting information about the physical and mechanical condition of an oil and/or gas well, and for determining the *in situ* properties of the rock and reservoir formation.

1.C Materials

1. Drilling mud, drilling mud additives and the components thereof, specially formulated to stabilise oil and gas wells during drilling, to recover drill cuttings to the surface and to lubricate and cool the drilling equipment in the well.
2. Cements and other materials meeting the 'API and ISO specifications' for use in oil and gas wells.

Technical Note:

'API and ISO specification' refers to the American Petroleum Institute specification 10A or the International Standards Organisation specification 10426 for oil well cements and other materials specially formulated for use in the cementing of oil and gas wells.

3. Corrosion inhibiting, emulsion treatment, defoaming agents and other chemicals specially formulated to be used in the drilling for, and the initial processing of, petroleum produced from an oil and/or gas well.

1.D Software

1. "Software" specially designed to collect and interpret data acquired from seismic, electromagnetic, magnetic or gravity surveys for the purpose of establishing oil or gas prospectivity.
2. "Software" specially designed for storing, analysing and interpreting information acquired during drilling and production to assess the physical characteristics and behaviour of oil or gas reservoirs.
3. "Software" specially designed for the "use" of petroleum production and processing facilities or specific sub-units of such facilities.

1.E Technology

1. "Technology" "required" for the "development", "production" and "use" of equipment specified in 1.A.01 – 1.A.11.

Refining of crude oil and liquefaction of natural gas

2.A Equipment

1. Heat exchangers as follows and specially designed components therefore:
 - a. Plate-fin heat exchangers with a surface/volume ratio greater than 500 m²/m³, specially designed for pre-cooling of natural gas;

- b. Coil-wound heat exchangers specially designed for liquefaction or sub-cooling of natural gas.
2. Cryogenic pumps for the transport of media at a temperature below $-120\text{ }^{\circ}\text{C}$ having a transport capacity of more than $500\text{ m}^3/\text{h}$ and specially designed components therefore.
3. 'Coldbox' and 'coldbox' equipment not specified by 2.A.1.

Technical Note:

'Coldbox' equipment' refers to a specially designed construction, which is specific for LNG plants and incorporates the process stage of liquefaction. The 'coldbox' comprises heat exchangers, piping, other instrumentation and thermal insulators. The temperature inside the 'coldbox' is below $-120\text{ }^{\circ}\text{C}$ (conditions for condensation of natural gas). The function of the 'coldbox' is the thermal insulation of the above described equipment.

4. Equipment for shipping terminals of liquefied gases having a temperature below $-120\text{ }^{\circ}\text{C}$ and specially designed components therefore.
5. Flexible and non-flexible transfer line having a diameter greater than 50 mm for the transport of media below $-120\text{ }^{\circ}\text{C}$.
6. Maritime vessels specially designed for the transport of LNG.
7. Electrostatic desalters specially designed to remove contaminants such as salts, solids and water from crude oil and specially designed components therefore.
8. All crackers, including hydrocrackers, and cokers, specially designed for conversion of vacuum gas oils or vacuum residuum, and specially designed components therefore.
9. Hydrotreaters specially designed for desulphurisation of gasoline, diesel cuts and kerosene and specially designed components therefore.
10. Catalytic reformers specially designed for conversion of desulphurised gasoline into high-octane gasoline, and specially designed components therefore.
11. Refinery units for C5-C6 cuts isomerisation, and refinery units for alkylation of light olefins, to improve the octane index of the hydrocarbon cuts.
12. Pumps specially designed for the transport of crude oil and fuels, having a capacity of $50\text{ m}^3/\text{h}$ or more and specially designed components therefore.
13. Tubes with an outer diameter of 0.2 m or more and made from any of the following materials:
 - a. Stainless steels with 23% chromium or more by weight;
 - b. Stainless steels and nickel bases alloys with a 'Pitting resistance equivalent' number higher than 33.

Technical Note:

'Pitting resistance equivalent' (PRE) number characterises the corrosion resistance of stainless steels and nickel alloys to pitting or crevice corrosion. The pitting resistance of stainless steels and nickel alloys is primarily determined by their compositions, primarily: chromium, molybdenum, and nitrogen. The formula to calculate the PRE number is: $PRE = Cr + 3.3\% Mo + 30\% N$

14. 'Pigs' (Pipeline Inspection Gauge(s)) and specially designed components therefore.

Technical Note:

'Pig' is a device typically used for cleaning or inspection of a pipeline from inside (corrosion state or crack formation) and is propelled by the pressure of the product in the pipeline.

15. Pig launchers and pig catchers for the integration or removing of pigs.
16. Tanks for the storage of crude oil and fuels with a volume greater than 1000 m³ (1 000 000 litres) as follows, and specially designed components therefore:
 - a. fixed roof tanks;
 - b. floating roof tanks.
17. Subsea flexible pipes specially designed for the transportation of hydrocarbons and injection fluids, water or gas, having a diameter greater than 50 mm.
18. Flexible pipes used for high pressure for topside and subsea application.
19. Isomeration equipment specially designed for production of high-octane gasoline based on light hydrocarbons as feed, and specially designed components therefore.

2.B Test and inspection equipment

1. Equipment specially designed for testing and analysing of quality (properties) of crude oil and fuels.
2. Interface control systems specially designed for controlling and optimising of the desalting process.

2.C Materials

1. Diethyleneglycol (CAS 111-46-6), Triethylene glycol (CAS 112-27-6)
2. N-Methylpyrrolidon (CAS 872-50-4), Sulfolane (CAS 126-33-0)
3. Zeolites, of natural or synthetic origin, specially designed for fluid catalytic cracking or for the purification and/or dehydration of gases, including natural gases.
4. Catalysts for the cracking and conversion of hydrocarbons as follows:
 - a. Single metal (platinum group) on alumina type or on zeolite, specially designed for catalytic reforming process;

- b. Mixed metal species (platinum in combination with other noble metals) on alumina type or on zeolite, specially designed for catalytic reforming process;
 - c. Cobalt and nickel catalysts doped with molybdenum on alumina type or on zeolite, specially designed for catalytic desulphurisation process;
 - d. Palladium, nickel, chromium and tungsten catalysts on alumina type or on zeolite, specially designed for catalytic hydrocracking process.
5. Gasoline additives specially formulated for increasing the octane number of gasoline.

Note:

This entry includes Ethyl tertiary butyl ether (ETBE) (CAS 637-92-3) and Methyl tertiary butyl ether (MTBE) CAS 1634-04-4).

2.D Software

1. "Software" specially designed for the "use" of LNG plants or specific sub-units of such plants.
2. "Software" specially designed for the "development", "production" or "use" of plants (including their sub-units) for oil refining.

2.E Technology

1. "Technology" for the conditioning and purification of raw natural gas (dehydration, sweetening, removal of impurities).
2. "Technology" for the liquefaction of natural gas, including "technology" required for the "development", "production" or "use" of LNG plants.
3. "Technology" for the shipment of liquefied natural gas.
4. "Technology" "required" for the "development", "production" or "use" of maritime vessels specially designed for the transport of liquefied natural gas.
5. "Technology" for storage of crude oil and fuels.
6. "Technology" "required" for the "development", "production" or "use" of a refinery plant, such as:
 - 6.1. "Technology" for conversion of light olefin to gasoline;
 - 6.2. Catalytic reforming and isomerisation technology;
 - 6.3. Catalytic and thermal cracking technology.

Petrochemical industry

3.A Equipment

1. Reactors

- a. specially designed for production of phosgene (CAS 506-77-4) and specially designed components therefor, with the exception of secondary reactors, and the relevant software developed therefor;
 - b. for phosgenation specially designed for the production of HDI, TDI, MDI and specially designed components therefor, with the exception of secondary reactors, and the relevant software developed therefor;
 - c. specially designed for polymerisation of ethylene and propylene and specially designed components therefor, and the relevant software developed therefor;
 - d. specially designed for the thermal cracking of EDC (ethylene dichloride) and specially designed components therefor, with the exception of secondary reactors, and the relevant software developed therefor;
 - e. specially designed for chlorination and oxychlorination in the production of vinyl chloride and specially designed components therefor, with the exception of secondary reactors, and the relevant software developed therefor;
2. Catalysts applicable to processes of production of trinitrotoluene, ammonium nitrate and other chemical and petrochemical processes used for explosive manufacturing, and the relevant software developed therefor;
 3. Catalysts used for the production of monomers such as ethylene and propylene (steam cracking units and/or Gas to petrochemicals units), and the relevant software developed therefor;
 4. Thin film evaporators and falling film evaporators consisting of materials resistant to hot concentrated acetic acid and specially designed components therefor, and the relevant software developed therefor;
 5. Plants for the separation of hydrochloric acid by electrolysis and specially designed components therefore, and the relevant software developed therefor;
 6. Columns having a diameter larger than 5000 mm and specially designed components therefor;
 7. Ball valves and plug valves with ceramic balls or plugs, having a nominal diameter of 10mm or more, and specially designed components therefor;
 8. Centrifugal and/or reciprocating compressor having an installed power above 2MW and meeting specification API610;

3.B Test and inspection equipment

3.C Materials

3.D Software

1. "Software", specially designed for the "use" in Gas-To-Liquid (GTL) or Gas-To-Petrochemicals (GTP) plants;

3.E Technology

1. "Technology" for the "development", "production" or "use" of Gas-To-Liquid (GTL) or Gas-To-Petrochemicals (GTP) processes or for GTL- or GTP- plants;
2. Technology" for the "production" of ammonia, urea and methanol;

Note:

"Technology" means specific information necessary for the "development", "production" or "use" of goods. This information takes the form of 'technical data' or 'technical assistance'.

ANNEX VII

List of gold, precious metals and diamonds referred to in Articles 15 and 32(1)

HS Code	Description
7102	Diamonds, whether or not worked, but not mounted or set
7106	Silver (including silver plated with gold or platinum), unwrought or in semi-manufactured forms, or in powder form
7108	Gold (including gold plated with platinum), unwrought or in semi-manufactured forms, or in powder form
7109	Base metals or silver, clad with gold, not further worked than semi-manufactured.
7110	Platinum, unwrought or in semi-manufactured forms, or in powder form
7111	Base metals, silver or gold, clad with platinum, not further worked than semi-manufactured.
7112	Waste and scrap of precious metal or of metal clad with precious metal; other waste and scrap containing precious metal or precious-metal compounds, of a kind used principally for the recovery of precious metal
7502	Unwrought nickel
7503	Nickel waste and scrap
7504	Nickel powders and flakes
8112	Rhenium, Indium, Germanium
8103	Tantalum and articles thereof, including waste and scrap

ANNEX VIII

Web sites for information on the competent authorities referred to in
Articles 3(2),(4),(5),(6) and (7), 5(2) and (3), 7(1), 10(1), 12(1), 14(1), 18(1), 19(1), 20, 21,
24(1), 25, 26(1) and (3), 27(1), 28, 29(1), 30(1), 31(1),(3) and (4), 32(1) and (2), 33(1), 37(1),
38(1),(2) and (3), 40, 41(1) and 49(1) and (2),
and address for notifications to the European Commission

BELGIUM

<http://www.diplomatie.be/eusanctions>

BULGARIA

<http://www.mfa.government.bg>

CZECH REPUBLIC

<http://www.mfcr.cz/mezinarodnisankce>

DENMARK

<http://www.um.dk/da/menu/Udenrigspolitik/FredSikkerhedOgInternationalRetsorden/Sanktioner/>

GERMANY

<http://www.bmwi.de/BMWi/Navigation/Aussenwirtschaft/Aussenwirtschaftsrecht/embargos.html>

ESTONIA

http://www.vm.ee/est/kat_622/

IRELAND

<http://www.dfa.ie/home/index.aspx?id=28519>

GREECE

<http://www1.mfa.gr/en/foreign-policy/global-issues/international-sanctions.html>

SPAIN

http://www.maec.es/es/MenuPpal/Asuntos/Sanciones%20Internacionales/Paginas/Sanciones_%20Internacionales.aspx

FRANCE

<http://www.diplomatie.gouv.fr/autorites-sanctions/>

ITALY

<http://www.esteri.it/UE/deroghe.html>

CYPRUS

<http://www.mfa.gov.cy/sanctions>

LATVIA

<http://www.mfa.gov.lv/en/security/4539>

LITHUANIA

<http://www.urm.lt>

LUXEMBOURG

<http://www.mae.lu/sanctions>

HUNGARY

<http://www.kormany.hu/download/5/35/50000/ENSZBT-ET-szankcios-tajekoztato.pdf>

MALTA

http://www.doi.gov.mt/EN/bodies/boards/sanctions_monitoring.asp

NETHERLANDS

<http://www.minbuza.nl/sancties>

AUSTRIA

http://www.bmeia.gv.at/view.php3?f_id=12750&LNG=en&version=

POLAND

<http://www.msz.gov.pl>

PORTUGAL

<http://www.min-nestrangeiros.pt>

ROMANIA

<http://www.mae.ro/index.php?unde=doc&id=32311&idlnk=1&cat=3>



SLOVENIA

http://www.mzz.gov.si/si/zunanja_politika_in_mednarodno_pravo/zunanja_politika/mednarodna_varnost/omejevalni_ukrepi/ SLOVAKIA

<http://www.foreign.gov.sk>

FINLAND

<http://formin.finland.fi/kvyhteistyo/pakotteet>

SWEDEN

<http://www.ud.se/sanktioner>

UNITED KINGDOM

www.fco.gov.uk/competentauthorities

Address for notifications to the European Commission:

European Commission

Service for Foreign Policy Instruments

Office EEAS 02/309

B-1049 Bruxelles/Brussel (Belgium)

E-mail: relex-sanctions@ec.europa.eu

