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SOP - Creating an Export Licence application on SPIRE (Single Individual Export Licences & Open Individual Technical Assistance Licences)

Introduction

This template Standard Operating Procedure (SOP) has been developed by the Higher Education Export Control Association as guidance for universities on how to prepare licence applications on the Export Control Joint Unit's online licencing system SPIRE. The template focusses on applications for Single Individual Export Licences (SIELs) and **Open Individual Technical Assistance Licences (OITALs)**.

It does not provide advice on applications for Open General Export Licences or Open Individual Export Licences. The template is not legal advice and institutions are encouraged to adapt the SOP to suit their own internal process as needed.

SIELS

SIELS are designed to allow exports of a stated quantity of specified items to a named consignee or end-user. They will therefore be the standard licence for exports of most physical goods and intangibles such as technology transfers made by universities. SIELs may also be applied for to allow controlled 'technical assistance' to a named entity.[1] No controlled export or technical assistance should take place until the necessary licence is in place.

Template Standard Operating Procedure

1. Before accessing the SPIRE portal, create your 'Applicants SPIRE Reference'. This will help you trace the application at a later date.

   Suggestion: The University's initials followed by the entity initials and the number of times you have submitted export licence applications for the entity. If this is the first time use 001. (i.e. the University of Manchester and 'China Academy of Engineering Physics' = UoM_CAEP_001)

2. Log-in on the SPIRE portal.

3. On the left-hand side menu select **New application**

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[1] As defined in the Export Control Order 2008 (as amended), 'technical assistance' is "any technical support related to repairs, development, manufacture, assembly, testing, use, maintenance or any other technical service". Technical assistance may be controlled both as part of technology controls in the UK Strategic Export Control List or through Military and WMD End Use Controls. Technical assistance is usually part of a project, contract or transaction. It often accompanies a physical or electronic transfer of technology. There may be circumstances where technical assistance is provided but does not involve the transfer of technology.

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4. Select the applicable type as below and Press **Start Application**

Standard Individual Export Licence

Standard Individual Export Licences allow the export of the items stated on the licence, to the stated consignee and/or end-user(s), up to the quantity and value described on the licen

○ Permanent Export ○ Temporary Export ○ Transhipment ⓘ

    a) For applications related to technical assistance (under the end-user/use controls) – Select SIEL **Permanent**

    b) For applications related to physical goods, software and/or technology – Select **Temporary** or **Permanent** depending on the type of export

5. You will now be in the landing page of the Licence Application. On the left side, you will see the menu that will help you navigate through:

> Reference
> Licensee
> Contact
> Goods List
> Nature Of Goods
> End Use Details
> Goods Location
> Goods Recipient
> Ultimate End Users
> Goods Route
> Other Third Parties
> Documents
> Validation Error Summary
> Submit
> Copy This Application

Reference

6. For **Application Reference**, enter your reference as created in Point 1.

Application Reference

Standard Individual Export Licences allow the export of the items stated on the licence, to the stated consignee a

Please give your reference for this application. This reference should be unique to this application only.

*Your Reference UoM_Entity Initials_00x

7. The Previous Application section <u>remains blank unless you are resubmitting a licence application</u> that relates directly to a previously submitted application to ECJU. If this is the case, for the 'Application Ref' you will need to include the reference generated by ECJU (ECO reference), not your institution's reference.
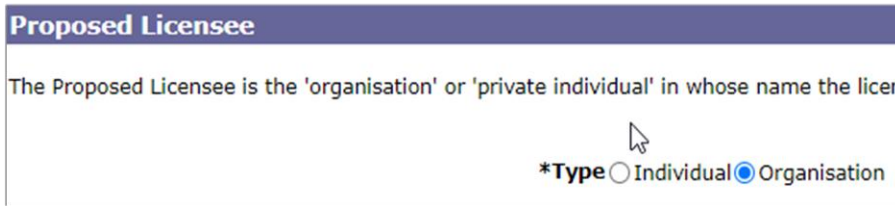
Previous Applications

Please provide the ECO Reference numbers and any relevant details of any previous applications or enquiries for identical goods. T application more quickly. See guidance notes for details of reference formats

Application Ref	Comment	Remove ⓘ
		🗑

<u>Licensee</u>

8. Proposed Licensee
Select **Organisation** as the type.

Proposed Licensee

The Proposed Licensee is the 'organisation' or 'private individual' in whose name the licen

*Type ○ Individual ● Organisation

9. Organisation Details
Select your relative university details from the drop down menu. This will auto-populate the fields with the University's details and will also share this draft application with anyone who has access to your SPIRE account (i.e they will have access to make changes, depending on their role)
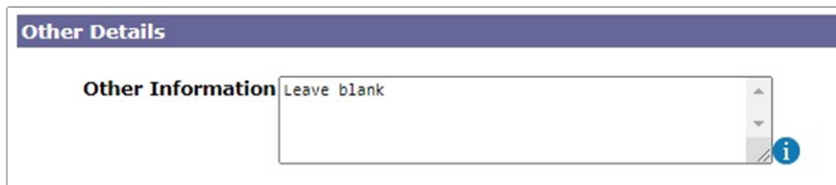
Organisation Details

UNIVERSITY [redacted] ▼ ⓘ

10. Site Details
Select the site details of your University from the drop down menu – you may have multiple sites created, depending on where you are exporting from. This is important for the shipment of physical goods as the licences only apply to the postcode indicated in the issued licence.
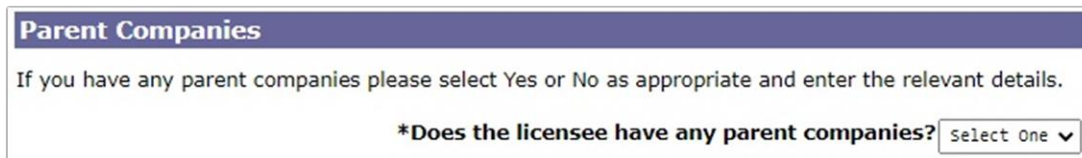
11. Other Details
Leave blank

Other Details

Other Information | Leave blank | ⓘ

12. Parent Companies
Select the appropriate answer

Parent Companies

If you have any parent companies please select Yes or No as appropriate and enter the relevant details.

*Does the licensee have any parent companies? Select One ▼

<u>Contact</u>

13. Select **Organisation with Contact**

*Type ○ Individual ● Organisation with Contact

14. Person Details

Here you can either input the details manually, or select the details for the relevant contact person in your organisation from the drop down menu. The person named will also be contacted by ECJU if further information to process the licence application is required. Should a licence be issued, the details will appear on the licence document.

(You can activate the option of preload data from 'Manage my Registration > Organisation Security > Set up Site Privileges > tick Application Contact)

If you are inputting the information manually, click on **Select Address** and a separate window will open for you to be able to search for your organisation's postcode and add the address.

Goods List

15. Export Goods List

#	*Item(s)	Part Number	Relevant Control Entry	*Goods Quantity Measure	*Goods Quantity	*Goods Value (£)	Actions
	Technical assistance and technology, such as electronic transfers (for email correspondence, video-conferencing): for "type of query" for "project title"	Not Relevant ☑	NA	Select one ▾			🗑 ☐
	technology for the "use/production/development" of "description of entry code"	Not Relevant ☑	9E001 related to 9A001b	Select one ▾			🗑 ☐

(Image: Example in first row of application of technical assistance and technology under the end-user controls and second row of application for specific technology with an identified relevant control entry)

If an application is both for more than one thing, you should state them on separate rows.

Items (column)

a) If your due diligence risk assessment identifies that an export licence application may be required for activities at your institution and the project involved is assessed as not having any controlled (coded) technology, you should use the following wording (or similar):

> *"Technical assistance and technology, such as electronic transfers (for email correspondence, video-conferencing): for [the incoming visitor/remote access visitor/ research collaboration/research agreement/consultancy work/teaching agreement] for the project titled [insert title])"*

First bracket	Choose the wording that best describes the type of activity that the technical assistance or technology transfer relates to, i.e. is it to enable the project of a visitor to your institution, or the remote access of a visitor/individual, or a research collaboration (this could be informal without any contractual agreements in place, or the type of agreement, or NDA, CDA, etc, or if it relates to consultancy work, or teaching).
Second bracket	Include the title of the project

b) For applications related to physical goods, software and/or technology that have been identified as (coded) falling under a relevant control entry in the UK strategic export control list:

The description of the codes needs to match the wording found on the consolidated list. For technology ("E codes) this should include one of the following three words in the description: use, production, development.

> You should use the following wording:
> *"Technology for the [use/production/development] of [insert the wording of the A/B/C/D code that this "E" code refers to in the UK consolidated export control list]"*

First bracket	Choose the wording that that technology is for (most academic projects will be for development, but you may on occasion be using a controlled piece of equipment such as an X-ray tomography system or for production of physical goods/manufacture).
Second bracket	Include the exact wording from the UK consolidated list of the entry code of the physical goods (A,B,C) or software (D) that your technology entry code relates to.

> For example: *Technology for the development of aero gas turbine engines designed to power an aircraft to cruise at Mach 1 for more than 30 minutes.*
> This example would be for entry 9E001 related 9A001b.

Part Number (column)

  a) For applications related to technical assistance and technology (under the end-user/use controls) - leave blank and tick not relevant.

  b) For applications related to physical goods, software and/or technology that have been identified as (coded) falling under a relevant control entry in the UK Strategic Export Control List – this part is case-dependent, however on most occasions leave blank and tick not relevant.

Relevant Control Entry (column)

  a) For applications related to technical assistance and technology (under the end-user/use controls) – Insert N/A

  b) For applications related to physical goods, software and/or technology that have been identified as (coded) falling under a relevant control entry in the UK Strategic Export Control List – insert the code identified in the UK Strategic Export Control List; e.g 0C001

  For technology (E codes) you always need to indicate the physical code associated with that technology.

  You should use the following wording: *"[E code] in relation to [A,B, c or D code]"*
  e.g *"0E001 in relation to 0C001"*

Goods Quantity Measure (column)

  a) For applications related to technical assistance and technology (under the end-user/use controls) – Choose Each

  b) For applications related to physical goods, software and/or technology that have been identified as (coded) falling under a relevant control entry in the UK Strategic Export Control List – this section is case dependent.

Goods Quantity (column)

  a) For applications related to technical assistance and technology (under the end-user/use controls) – to cover all possible email correspondence, electronic transfers, etc. you should use the following wording:
  "10,000"

  b) For applications related to physical goods, software and/or technology that have been identified as (coded) falling under a relevant control entry in the UK Strategic Export Control List – this is case dependent:

   For physical items: always put a higher amount than planned for physical goods, in case some of the samples get damaged in transit and you need to resend again, and you can do it under the same licence.

   For technology entries (E codes): to cover all possible email correspondence, electronic transfers, etc. you should use the following wording:
   "10,000"

Goods Value (£) (column)

If the value of the research (e.g. grant /contract) is known, please input it. Otherwise input "0".

If more than 1 line is needed to the table click on **Add Goods Items** to add more.
Each coded entry must be added on individual rows.

16. General Goods Description
(Further Details on the Items, their Use and/original Design Intent).

Important note: this box is limited to only 450 characters.

a) For applications related to technical assistance and technology (under the end-user/use controls) – add the following text before writing your description.

"FAO Mr Colin Baker"

b) For applications related to physical goods, software and/or technology that have been identified as (coded) falling under a relevant control entry in the UK Strategic Export Control List – write the description only.

This should be a brief description provided by the research academic. It should be a concise summary in layman's terms of what the research is about.

Nature of Goods

17. Input the description provided by the research academic and then click **Apply changes to goods list table** to update the table.

End Use Details

18. Promotion Approvals
If you have approval to proceed with marketing activity, input the **MOD F680 reference**. If not applicable, leave blank.
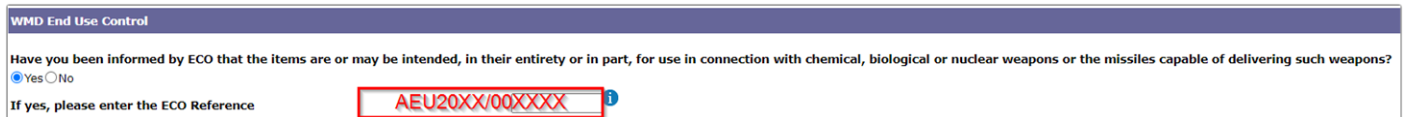
19. WMD End Use Control

    If your institution has received an end-user advice outcome (EUA) with WMD concerns, add the ECO reference of that letter here. (Although the wording of this section relates to the intention of the usage of the items, and the EUAs are on entities only, it is useful for ECJU to indicate in this section the WMD EUA letter received)
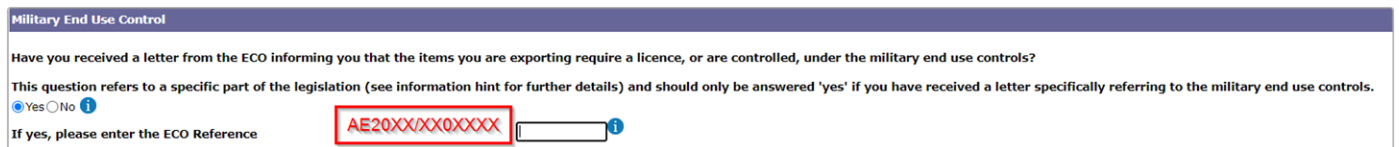
    WMD End Use Control

    Have you been informed by ECO that the items are or may be intended, in their entirety or in part, for use in connection with chemical, biological or nuclear weapons or the missiles capable of delivering such weapons?
    ● Yes ○ No

    If yes, please enter the ECO Reference AEU20XX/00XXXX ⓘ

20. Military End Use Control

    If your institution has received an end-user advice outcome (EUA) with military concerns, add the ECO reference of that letter here. (Although the wording of this section relates to the intention of the usage of the items, and the EUAs are on entities only, it is useful for ECJU to indicate in this section the military EUA letter received)

    Military End Use Control

    Have you received a letter from the ECO informing you that the items you are exporting require a licence, or are controlled, under the military end use controls?
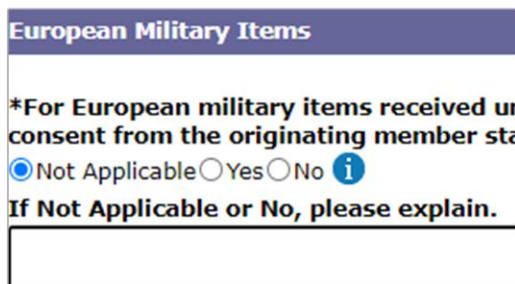
    This question refers to a specific part of the legislation (see information hint for further details) and should only be answered 'yes' if you have received a letter specifically referring to the military end use controls.
    ● Yes ○ No ⓘ

    If yes, please enter the ECO Reference AE20XX/XX0XXXX ⓘ

21. European Military Items

    Select **N/A** or **NO** and include the following wording: (unless it does involve European military items!)
    "Does not involve European military items"

    European Military Items

    *For European military items received ur
    consent from the originating member sta
    ● Not Applicable ○ Yes ○ No ⓘ
    If Not Applicable or No, please explain.

22. Intended end use

    This box should provide the final purpose of the research/collaboration and what they are trying to advance in the area.

    Note: It is not sufficient to say that the purpose of the research is 'academic publishing', details of the wider purpose of the research/collaboration are needed. This information can usually be found in grant proposals paperwork.

    If this is not possible, provide the summary of information provided to you by the academic.

23. Other information

    Include the following information in this section, plus anything else that you think will assist in processing your application. Do not repeat anything you have put in other parts of the application.

a) the explanation on how the transfer will take place for each **Route of transfer:**

You should use one or more of the following statements:
Select from each bracket, the one or more activities that apply.
- *"face to face [meetings/travel to the entity/visits from the entity's staff to your institution]*
- *electronic transfers [emails/video/remote access from abroad/access to your institution emails when overseas]*
- *physical transfers [laptop or other devices taken on the trip/samples/equipment]"*

b) TRL level of the research as assessed by the academic researcher.

You should use one or more of the following:
TRL1. Basic principles observed and reported
TRL2. Technology concept formulated Basic Scientific Research
TRL3. Analytical and experimental critical functions and/or proof of concept
TRL4. Technology validated in laboratory environment
TRL5. Technology validated in relevant environment
TRL6. Technology demonstrated in relevant environment
TRL7. System prototype demonstration in an operational environment
TRL8. System completed and qualified through test and demonstration
TRL9. Actual system proven in an operational environment

c) include the funding/grant/research application reference number if available.

d) Add information on the relevant faculty, or who the lead researcher is – along with a link to the research page of that individual (if applicable) – so ECJU can better understand the end-user and make informed decisions.

Goods Location

This is the official business premises of the entity who is performing this export (usually your institution).

Country	Location within UK 🛈	Actions
United Kingdom	Select One ▾	

Goods Recipient

In this section you need to put information on the end user, i.e. the main collaborator or funder, the home institution of the visitor, or the company for which the consultancy work is for.

Choose **Organisation**
This should be the names of institution(s), not the names of the collaborators themselves.

Organisation Details: Input name, address, and website.
Note: Make sure not to duplicate the country name when you add the address and ensure details are written in an appropriate format.

Other Details:
- Type of recipient: Tick both **end user** and **consignee** (unless in very seldom occasions, you have different end-user and consignees)
- Provide details of the end user type from the drop-down menu. If it is a University select **Other** and use the **Other information** box to state: **University**
- Other Information: If you know the name and contact details of the individual collaborator, add them here as a point of contact (Name, email, address, telephone - and USCI for China)
  Note: USCI = Universal social credit identifier.

Ultimate End Users

If there is an ultimate end user, details of this organisation should be added here.

Examples include when the collaborator modifies & forwards the research items/information onto another entity that will develop the research further. Alternatively, physical samples are sent to one end-user who modifies and incorporates into another larger piece of equipment and sends to the final end-user.

Note clarification on end-user vs ultimate end-user:
Example given: The baker (end-user) receives ingredients from the store to make cake for customer (ultimate end-user). The baker is both an end user and a consignee as they 'make changes' to the ingredients before shipping them in the form of a cake to the customer.

Goods Route

Include details of how the transfer will take place and the location.

Note, the field is character limited. To fit them all you should use one or more of the following:
"f-2-f, physical, electronic, remote"

Other Third Parties

- If the project includes several partners, collaborators, funders, shipping companies, add their details in this section.

  All the institutions and companies involved in a collaboration (even if you do not have end-user concerns about them) should be included here to provide a realistic picture of what the collaboration is, not just the main institution mentioned in the end-user section.

- If there is a PhD related project, include the details of the person undertaking the PhD here.

- Note, telephone number needs to be input in the following format to avoid generating an error:
  +XX (X)XX XXX XXX XXX

Documents

- You must always upload a technical specifications document. This could be a summary of the project from the academic researcher, the grant research proposal (this can include CVs).

- You should, where possible, also upload as other documentation, any contractual paperwork (NDA, CDA, Research agreement etc.).

- You must additionally upload the signed End User Documentation (EUU). This document must be done at the end when the application is ready to be submitted as the wording needs to exactly match the application.

- Make sure that you attach all documents in PDF format and with the following format for their names: *"technical specification_[reference of the case]" or "EUU_[reference of the case]"*

  E.g. technical specification_UoM_CAEP_001.pdf or EUU_ UoM_CAEP_001.pdf

- EC3 Form – EC firearms and ammunition transfer document is only applicable for applications of this nature.

Before submission, ensure you have approval in writing from the PI and make sure they understand that it is their responsibility to inform anyone named in the application.

[END OF DOCUMENT]