



Department for
International Trade

Open General Export Licence

Historic Military Vehicles and Artillery Pieces

August 2019

EXPORT LICENCE

Open General Export Licence (Historic Military Vehicles and Artillery Pieces) dated 13 August 2019 granted by the Secretary of State.

The Secretary of State, in exercise of powers conferred by Article 26 of the Export Control Order 2008¹ ("the Order") hereby grants the following Open General Export Licence:

Licence

1. Subject to the following provisions of this Licence, any goods in Schedule 1 hereto may be exported from the United Kingdom to any destination specified in Schedule 2 to this Licence providing they are being exported for the purposes of an historic re-enactment, historic commemorative event, private battlefield tour or private recreational purposes, and are to be returned, (*with the exception of expended blank ammunition fired during the events*), to the UK within three calendar months.

Exclusions

2. The licence does not authorise the export of goods:

(1) to a destination within a Customs Free Zone;

(2) if the exporter has been informed by the Secretary of State that they are or may be intended, wholly or in part, to be used in connection with the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons, or the development, production, maintenance or storage of missiles capable of delivering such weapons;

(3) if the exporter knows they are intended, wholly or in part, to be used in connection with one of the activities referred to in sub-paragraph (2) above; or

(4) if the exporter has grounds for suspecting that they might be used, wholly or in part, in connection with an

¹ S.I.2008/3231

activity referred to in sub-paragraph (2 above), unless he has made all reasonable enquiries as to their proposed use and satisfied himself that the goods will not be so used;

(5) for any military purposes other than those referred to in paragraph 1 to this licence;

(6) if the exporter has been informed by a competent authority, or is otherwise aware that the goods have been classified by the Ministry of Defence as OFFICIAL-SENSITIVE or above (including UK material classified RESTRICTED or above, graded prior to 2 April 2014, and equivalent internationally security classified material);

Conditions and Requirements

3. The authorisation in paragraph 1 is subject to the following conditions:

(1) the exporter shall make and maintain all necessary arrangements (including all necessary security arrangements) and shall at all times retain sufficient control of the goods to ensure that the goods are safely returned to the UK within three calendar months of the date of the export; and **shall not sell, dispose or transfer to any person ownership of the goods or any interest in them or take any other action which may have the result of impeding or diminishing his power to ensure their safe return to the UK;**

(2) except when being directly transported to any country to which they are authorised to be exported under this licence, or when being directly returned to the UK, the goods shall not be removed from the country where they are for the time being;

(3) the exporter shall provide the Secretary of State with confirmation of the goods' return **if requested to do so;**

(4) where official and commercial export documentation accompanies the goods this shall include a note stating "the goods are being exported under the OGEL (Historic Military Vehicles and Artillery Pieces)" which shall be presented to an officer of the UK Border Force **if so requested.**

(5) For non-commercial journeys a copy of this OGEL shall be presented to an officer of the UK Border Force **if so requested.**

(6) The exporter shall maintain records of every exportation made under this Licence including the following information

- (a) the date of exportation and destination;
- (b) confirmation of the type of event;
- (c) date and evidence of return;
- (d) for goods listed in Schedule 1(1) of the licence, a copy of the goods UK Proof House certification;
- (e) for goods listed in Schedule 1(2)(a), and where appropriate (c), of the licence, confirmation of the age of the goods;
- (f) for goods listed in Schedule 1(2)(b), and where appropriate (c), of the licence, a copy of DVLA registration;

(7) and any such records shall be kept for at least four years from the date of the relevant export or return and the exporter shall permit them to be inspected, and copied, by any person authorised by the Secretary of State;

(8) The Secretary of State has the power to vary or withdraw export licences at any time

Registration

4. The requirements of Article 28 of the Order shall not apply to any export under this licence.

Prohibitions not affected by this Licence

5. Nothing in this Licence shall affect any prohibition or restriction on the exportation or carrying out of any other act with respect of the exportation of any goods concerned under, or by virtue of, any enactment other than a prohibition or restriction in the legislation under which this licence was issued, as set out in the licence itself.

Interpretation

6. For the purpose of this Licence:

(1) "the Act" means the Export Control Act 2002²;

(2) a "Customs Free Zone" is a part of the territory of a country where any goods introduced are generally regarded, insofar as import duties and taxes are concerned, as being outside the Customs territory of that country, and are not subject to the Customs controls that would otherwise apply;

(3) unless the context otherwise requires, any other expression used in this Licence shall have the meaning it has in the Act or the Order.

Entry into Force

7. This Licence shall come into force on 13 August 2019.

8. The Open General Export Licence (Vintage Military Vehicles) that came into force on 11 April 2018 is revoked.

**An Official of the Department for International
Trade authorised to act on behalf of the
Secretary of State**

² 2002 c.28

SCHEDULE 1

GOODS CONCERNED

1. Artillery pieces falling within ML2 as follows;
 - (a) that are certified by a registered UK Proof House as having been rendered incapable of firing any ammunition and are intended for static display purposes;
 - (b) that have been permanently converted and certified to a British Proof House Standard to only fire blank ammunition and are intended for re-enactment or commemorative events.

2. Vehicles falling within entry ML6 as follows;
 - (a) manufactured more than 50 years before the date of export and specially designed or modified components necessary for maintaining the road worthiness of an accompanied vehicle;
 - (b) manufactured less than 50 years before the date of export that has been registered with DVLA as “private” or “historic”, and specially designed or modified components necessary for maintaining the road worthiness of an accompanied vehicle;
 - (c) vehicles in 2(a) or (b) above, transported in complete knock down kit form.

N.B1: ML6 includes civilian vehicles modified for military purposes. A modification includes a structural, electrical or mechanical change involving one or more specially designed military components.

N.B2: For the purposes of ML6 vehicles include trailers.

3. Other military items falling within Part 1 of Schedule 2 to the Order specifically related to the type and period of the

Artillery Piece or vehicle being exported, **other than** items falling within the following categories,

- ML3: except blank ammunition;
- ML4.a.: includes MANPADS, Cluster Munitions, Anti-personnel Landmines (APLs);
- ML4.c.;
- ML6.b.2;
- ML7;
- ML8
- ML9;
- ML10.a to e., and i.;
- ML11.b.;
- ML12;
- ML15;
- ML16;
- ML17.a., c. to g., i., n., to o.;
- ML18;
- ML19;
- ML20;
- PL5001.

SCHEDULE 2

DESTINATIONS CONCERNED

This export authorisation is valid for exports to the following destinations:

Austria, Belgium, Bulgaria, Channel Islands, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

EXPLANATORY NOTE

(This Note is not part of the Licence)

1. This Open General Export Licence has been amended to remove the requirement to register before this OGEL can be used.

2. This Licence permits, without further authority but subject to certain conditions, the temporary exportation to EU destinations, Channel Islands or Norway, for a period not exceeding 3 calendar months, a range of no longer nationally classified military goods including vehicles manufactured 50 years or more before the date of exportation.
The conditions include that the exporter **shall not** sell, dispose or transfer to any person ownership of the goods or any interest in them or take any other action which may have the result of impeding or diminishing his power to ensure their safe return to the UK.

3. A licence exemption is in place which allows the temporary export of historic military vehicles to certain named destinations (Belgium, France or Germany) when certain specified conditions can be met. An export licence issued by DIT is not required if you can meet the specified exemption conditions and are exporting historic military vehicles (ML6) to the named destinations. This exemption is specified in Article 14a which is made in [Export Control \(Amendment\)\(No 2\) Order 2012 \(SI 2012/1910\)](#). This amends the Export Control Order 2008. The order specifies:

“14(A) – (1) The prohibition on the export of military goods in article 3 does not apply to the export of a vehicle or component falling within entry ML6 in Schedule 2 provided that the following conditions are met.
(2) The conditions are that –
(a) the vehicle or component was manufactured more than 50 years before the date of exportation
(b) the exportation is to a destination in Belgium, France or Germany

(c) the exportation is for the purpose of a military re-enactment, commemorative event or recreational activity, and
(d) the vehicle or component is to be returned to the United Kingdom within 3 months of the date of exportation”

4. Please note that a separate licence must be applied for from the Arts Council for any military goods manufactured 50 years or more before export where the value is in excess of £65,000. Arts Council enquiries should be addressed to, elu@artscouncil.org.uk

5. The Secretary of State has the power to suspend or revoke licences at any time and in such circumstances and on such terms as he thinks fit.

6. The provisions of this Licence only apply for the purposes of the Export Control Order 2008. They do not affect the need to obtain other consents that may be required for the export of particular military goods, whether under other statutory provisions (such as the Official Secrets Act 1989) or otherwise (such as under contractual obligations). In addition, this Licence does not extend to prohibitions in other legislation implementing United Nations sanctions.

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