

Comprehensive Change Note Summary for Council Regulation (EC) No. 428/2009

INTRODUCTION

This document summarises the all control entry differences in Annexes I and IV of the EU Dual-Use Regulation as a result of Council Regulation (EC) No. 428/2009 (published in OJ L134 of 5 May 2009) that replaces Council Regulation (EC) No. 1334/2000 as last amended by Council Regulation No. 1167/2008 (published in OJ L325 of 3 December 2008)

OVERVIEW

The changes implemented are a result of the review of the Wassenaar Arrangement (WA) Dual Use Lists during 2008, Missile Technology Control Regime (MTCR) Technical Annexes during 2008, Australia Group (AG) Control Lists during 2008.

The WA list is available on the WA public web site as WA-LIST (08) 1 dated 3 December 2008 together with a summary of the changes adopted in December 2008. The MTCR Technical Annex is MTCR/TEM/2008/Annex/001 dated 5 November 2008. The full details of changes and current control lists for AG are published on the AG website at www.australiagroup.net.

Tables highlighting changes to Annexes:

Definitions		
"Bias" (accelerometer)	WA	Definition amended.
"III/V compounds"	Edit	Category reference added.
"Digital transfer rate"	Edit	Category reference added.
"Explosives"	WA	New definition.
"Fusible"	WA	New definition.
"Multi-data-stream processing"	WA	Definition deleted.
"Noise level"	WA	Definition deleted.
"Nuclear reactor"	DS24/9	Definition of nuclear reactor amended.
"Personal area network"	WA	New definition.
"Personalized smart card"	WA	Definition amended.
"Riot control agent"	WA07	New definition.
"Space-qualified"	Edit	Minor editorial amendment to reflect that use in CAT 3 and 6.

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Category 0		
0A001.a.	DS24/9	Sub-entry amended for fission nuclear reactors.
0A001.b.	DS24/9	Sub-entry amended.

Category 1		
Title	WA	Title changed to Special Materials and Related Equipment
1A001.c., 1. & 2.	WA	Sub-entry for components made from fluorinated compounds amended to include 2 new sub-paragraphs.
1A002 <i>Note 3</i>	WA	Note 3 added to decontrol certain composite structures.
1A003 & N.B.	WA	Sub-entry for aromatic polyimides amended; New Nota Bene added
1A004 <i>Note b</i>	WA	Note amended.
1A004.d., <i>Tech Note & Notes 1 & 2</i>	WA	New sub-entry for electronic equipment for detecting or identifying explosive residues; Technical Note added; Decontrol Notes 1 and 2 added.
1A007.b.2. <i>Tech Note 2</i>	Edit	Minor amendment to Tech Note..
1A008 & <i>Tech Note</i>	WA	New entry for charges and devices, includes 4 sub-entries for shape charges, linear cutting charges, detonating cord and cutters; Technical Note added.
1B001.f.2.	WA	Sub-entry amended.
1B003.c.	WA	Sub-entry amended.
1B101	MTCR	Sub-entry amended to include fibre placement machines.
1C008.a. <i>Note & N.B.</i>	WA	Note 2 deleted; Original Note 1 becomes Note; New Nota Bene added.
1C010.b. <i>Tech Note</i>	WA	Technical Note amended.
1C111.a.2.d.	Edit	Minor editorial amendment.
1C111.a.4.a., b., d. & h.	MTCR	CAS numbers added sub-entries for hydrazine derivatives
1C111c.6.b.	MTCR	CAS numbers added to sub-entry for ferrocene additive.
1C111c.6.c. & f.	MTCR	CAS numbers deleted to sub-entries for ferrocene additive.
1C111c.7.	MTCR	New sub-entry for a triazole plasticiser.
1D003	WA	Entry amended to include software related to new entry 1A004.b.
1E001	WA	Entry amended to include technology related to new entries 1A006.b. and 1A007
1E002.g.	WA	Sub-entry amended to include libraries related to new entry 1A004.b.

Category 2		
2B116.b. <i>Tech Note</i>	MTCR	Tech Note added to Vibration test system entry
2B120.b. & <i>Note 2</i>	MTCR	Sub-paragraph for motion simulators amended; Note 2 added; Original Note renumber 1.
2B121.b.	MTCR	Sub-paragraph amended.
2B122 & <i>Note</i>	MTCR	Entry for centrifuges amended; New Note added.
2B350.e.	Edit	Minor editorial correction.

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2B350.g.i., 1., 2. & 3.	AG	New sub-paragraphs for valves with ceramic construction, includes 3 sub-paragraphs.
2B351	Edit	Entry for toxic gas monitoring equipment amended to remove possible overlap of controls.
2B352.d.1, b., b.1. & b.2.	AG	Sub-entry for certain flow filtration equipment amended, includes 2 new sub-paragraphs.
2D351	AG	New control for toxic gas monitoring equipment software.

Category 3		
3A Note 2 NB	WA	Nota Bene to Note 2 deleted.
3A001.a.7. & Tech Notes 1 & 2	WA	FPGA sub-entry amended; new Tech Note added; original Tech Note renumbered 1.
3A001.a.10.a. & b.	WA	Parameters in sub-paragraphs amended for custom integrated circuits.
3A001.b.1.a.4.c.	Edit	Minor editorial amendment.
3A001.b.8.b.	WA	Sub-paragraph amended.
3A001.b.10. a., b. & Tech Note	WA	New sub-entry for oscillators and oscillator assemblies, including 2 sub-paragraphs and Tech Note.
3A001.c.	WA	New de-control Note added for acoustic wave devices control.
3A001.c.1. & b.1., c.3 & Tech Note	WA	Sub-entry and sub-paragraphs for surface acoustic wave devices amended; New Tech Note added.
3A001.c.2.	WA	Sub-entry for bulk acoustic wave devices amended.
3A001.e.4.	Edit	Minor editorial amendment
3A001.f.	WA	Sub-entry for rotary position encoders amended.
3A001.h., 1., 2., 3., Notes 1, 2 & 3 & Tech Note	WA	New sub-entry for Solid state power switches including 3 sub-paragraphs, 3 new Notes and a Tech Note.
3A002.a.3.b.	Edit	Minor editorial amendment.
3A002.d.3.a, 4., 4.a., 4.b., & Tech Note	WA	Sub-paragraphs for frequency synthesised signal generators amended; New Tech Note added.
3A002.g.	Edit	Minor editorial amendment;
3B001.a.1. Note	WA	New Note added.
3C002.e.	Edit	Minor editorial amendment.

Category 4		
4D001.b.1.	WA	Sub-paragraph parameter amended.
4D003	WA	Sub-entries deleted and original sub-entry c. renumber 4D003.
4E001.b.1.	WA	Sub-paragraph parameter amended.

Category 5 Part 1		
5A001.f., f.1., f.2. & f.3.	WA	Sub-entry for jamming equipment amended; sub-paragraphs 1. and 2. amended; new sub-paragraph 3. added.
5A001.h. & N.B.	WA	New sub-entry for electronic equipment to activate or prevent radio controlled improvised explosive devices, including N.B.
5B001.b.2.b.	WA	Sub-paragraph amended for telecoms equipment employing

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		lasers.
5D001.a.	WA	Entry amended.
5E001.a.	WA	Entry amended.
5E001.c.2.d.	WA	Sub-paragraph amended.
5E001.c.2. N.B.	WA	Nota Bene added.
5E001.c.6.	WA	New control on technology for certain mobile equipment
5E001.d., 1., 2., 3., 4., 5. & 6.	WA	New control on technology for certain telecoms microwave monolithic integrated circuits, includes 6 new sub-paragraphs.
5E001.e., 1. & 2.	WA	New control on technology for certain telecoms devices containing superconducting materials, includes 2 new sub-paragraphs.
Category 5 Part 2		
5A002.a.7.	WA	New sub-entry for security systems exceeding EAL-6.
5A002.a. Note h	WA	New decontrol for certain equipment for servicing portable or mobile radiotelephones.
5A002.a. Note i	WA	New decontrol for certain wireless equipment with range of 30m or less.
5B002.a.	WA	Sub-entry amended for information security development and production equipment; 2 original sub-paragraphs removed.
5B002.b.	WA	Sub-entry amended for information security measuring equipment.
5D002.a.	WA	Sub-entry for cryptographic software amended.
5D002.c.1.	WA	Sub-entry for cryptographic software amended.
5E002	WA	Sub-entry for technology for cryptography related items amended.

Category 6		
6A001.c.	WA	New sub-entry for certain diver deterrent acoustic systems.
6A002.a.1.	WA	New Note added.
6A002.a.1.d.	WA	New sub-entry for space qualified FPAs that where previously specified by 6A002.e.
6A002.a.2.a.3.a. & c.	WA	Sub-paragraph for image intensifier photocathodes amended; Note to c. deleted.
6A002.a.2.b.3.	WA	Sub-paragraph for image intensifier photocathodes amended; Note to 3. deleted.
6A002.b. Note	WA	Note added to sub-entry for imaging sensors for remote sensing applications.
6A002.e.	WA	Sub-entry moved to 6A002.a.1.d., now not used.
6A003.b.4.d.	WA	Sub-entry deleted.
6A003.b.5.	Edit	Minor editorial amendment.
6A004.c.1. & 4.	WA	Sub-paragraphs for space qualified optical system components amended.
6A004.d.1. & 2.	WA	Sub-paragraphs for optical control equipment amended.
6A005.b.6.b.	WA	Sub-paragraph for laser control amended.
6A006.a.1., a. & b.	WA	Sub-entry and sub-paragraphs amended for magnetometers.
6A006.a.2.	WA	Sub-entry amended for magnetometers.

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6A006.a.3.	WA	Sub-entry amended for magnetometers.
6A006.a.4.	WA	Sub-entry amended for magnetometers.
6A006.a.5	WA	Sub-entry amended for magnetometers.
6A006.b.	WA	Sub-entry amended for underwater electric field sensors.
6A006.c.2. & 3.	WA	Sub-paragraphs amended for magnetic gradiometers.
6A006 <i>Tech Note</i>	WA	New technical Note added.
6A008.j. <i>Notes 1, 2 & 3</i>	WA	New Notes 1, 2 and 3 added; original Note deleted.
6A008.j.3.	WA	New sub-entry for LIDAR equipment for airborne surveys
6A108.b.2.a.	MTCR	Parameter in sub-entry for tracking systems amended
6D003.b., c., d., e., f., g. & h.	WA/Edit	New sub-entry c. for software to allow increase of frame rate in certain electronic cameras; Original sub-entry b. re-numbered f.; Original sub-entry c. re-numbered g.; Original sub-entry d. re-numbered h.; Sub-entries b., d. and e. not used.

Category 7		
7A003.c. & c.1.	WA/Edit	Sub-entry for inertial equipment amended.
7A003 <i>Tech Note 2</i>	Edit	Minor editorial amendment to Tech Note 2
7A101, <i>Note & Tech Notes</i>	MTCR	Original sub-entry b. deleted, now specified under 7A001.a.3.; Original sub-entry a. now 7A101; Note and Tech Note amended.

Category 8		
8A001.b.3.a., b. & <i>Tech Note 2</i>	WA	Original sub-paragraphs a. and d. deleted for manned submersibles; Original sub-paragraphs b. and c. re-numbered a. and b.; Tech Note 2 amended.
8A001.f., 1. & 2.	WA	Sub-entry for underwater electronic imaging systems amended; 2 new sub-paragraphs included.

Category 9		
9A012.b.2.	WA	Sub-entry for UAV systems amended.
9A108, a., b. & c.	MTCR07	Entry amended for solid rocket system to take into account MTCR change of 2007 to M3A3 of Technical Annex
9A110	MTCR	Entry amended for certain composite structures.
9E101.a. & b.	Edit	Editorial amendment to control certain UAV technology; Original entry divided into new sub-entries a. and b.
9E102	Edit	Editorial amendment to control certain UAV technology.

Annex IV		
No entry changes		

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