

Export Control Classification Guidance

Overview

The [University's Export Control Procedure and Guidance](#) requires that researchers who work in an area that is relevant to export controls must undertake due diligence at appropriate points in the research process.

If you soon intend to export goods, software or technology that may be controlled, this guidance is not relevant. Please contact researchgovernance@admin.cam.ac.uk and complete an [Export Licence Enquiry Form](#) instead.

This guidance is designed for those undertaking export control due diligence at an earlier stage in the research process. Early classification of items and technologies helps to ensure that appropriate controls and protections can be put in place for controlled items and that controlled exports do not take place without the required license.

For any queries relating to the classification of goods, software or technology, please contact the Research Governance Team at researchgovernance@admin.cam.ac.uk.

Who needs to undertake Export Control classifications?

It is the responsibility of Principal Investigators (PIs) in scientific and technology disciplines to be aware whether export controls have the potential to apply to research within their research group. A recommended process for assessment of export control risk is provided in Appendix 1 of the Export Control Procedure and Guidance.

Where a PI has established that export control may apply to their work they must familiarise themselves with the [University Research Office's Export Control page](#) and the Procedure and Guidance. They are also required to undertake export control due diligence, including classification.

When to undertake Export Control classifications?

PIs who have identified that export control may apply to their work must undertake export control classifications:

- a) At the outset of a new activity that has the potential to include the export of physical, electronic or verbal items outside of the UK, or the transfer of items within the UK for use in a WMD programme outside the UK.
- a) When major changes are made to an ongoing research project or collaboration that increases the likelihood of an export or changes the type of goods, software or technology that could be exported.
- b) At the point that a decision is made to export goods, software or technology outside the UK (or to transfers within the UK for use in a WMD programme outside the UK including through teaching).

When to undertake Export Control classifications: High-Risk Research Activities

Researchers undertaking work that is at a high-risk of being relevant to export control are recommended to undertake export control classifications more often. The decision as to whether research is high-risk should be made by the PI, but if research is in the following areas it would normally be considered to be high-risk:¹

- Aeronautical and space technology
- Autonomous vehicles, including unmanned aerial vehicles and associated technology;
- Applied chemistry, biochemistry and chemical engineering
- Applied physics
- Biotechnology
- Electrical and mechanical engineering
- Instrumentation and sensors
- Materials technology
- Nuclear technologies
- Production and process technology
- Telecommunications and information technology;

Some research relating to viruses, pathogens, toxic chemicals or vaccines can also be high-risk due to potential use in chemical and biological weaponry.²

Should a PI decide that their research is high-risk for export control, they are recommended to also undertake classifications:

- a) When new goods, software or technology are generated that the PI suspects may have potential for dual-use, military use or WMD use (even if not likely to be exported in the immediate future).
- b) On the receipt, from any third party of goods, software or technology that have not already been classified and that the PI suspects may have potential for dual-use, military use or WMD use (even if not likely to be exported in the immediate future).

How to undertake Export Control Classifications

Classification involves identifying whether goods, software or technology that exist or are the intended product of research are listed on the [UK Strategic Export Control Lists](#). All classifications should be documented through the completion of the University's classification form. Forms should be retained in a format that is accessible to relevant staff and students. It is the responsibility of the PI to re-classify any project or activity should it subsequently evolve or change direction.

To classify an item, software or technology you should:

¹ See: <https://www.gov.uk/guidance/export-controls-applying-to-academic-research#high-risk>

² It is important to note that while the above contexts are most likely to require scrutiny for potential export control considerations, all research with the potential for military or WMD applications could be subject to Export Controls; they are not restricted to any particular field of research. While the potential dual-use (military as well as non-military) applications or potential for your research may not be immediately obvious, you are encouraged to consider the broader applications that may place your research in these categories.

- a) Establish whether your item/software/technology was specifically designed for military use.
- b) Establish whether your item/software/technology originated in the United States of America. If so, seek the US Export Control Classification Number and review the University's US [export control procurement and compliance pack](#).
- c) Search the UK Export Control Lists to establish whether any technology, software or physical items used in the research is included on the lists:
 - a. For physical goods follow the [guidance provided here](#).
 - b. For software and technology follow the [guidance provided here](#).
- d) Document the outcome of your classification using the Export Control Classification Form.

Exporting

If an item/software/technology has been classified as controlled and you are considering exporting it outside the UK, please provide a completed [Export Control Enquiry Form](#) to the Research Governance Team in advance of the export taking place. An application for an export licence must be made before any export (including transfer or disclosure) of any controlled items.

NOTE: Items not specifically listed on the control lists may still require a licence depending on the nature of the end-use or end-user. Researchers are advised to take further advice where there is a suspicion, or they have been informed that:

- a) the item is intended, either in entirety or in part, for Weapons of Mass Destruction (WMD) or military purposes, including where the export is to a destination in the UK, but it is known that the ultimate end use is relating to WMDs outside the UK;
- b) the item is being exported to a specific country that is subject to an [embargo or sanctions](#);
- c) the item may be intended for incorporation into or for the development, production, use or maintenance of military equipment in a location subject to an arms embargo;
- d) the items are or may be intended to be a) used by military, para-military or police forces, security services or government intelligence organisations and/or b) used by an entity involved in the procurement, research, development, production or use of items on behalf of military, para-military or police forces, security services or government intelligence organisations.

Further Guidance

The University's full guidance on export control is available on the [export control website](#). Any questions relating to export control can be sent to researchgovernance@admin.cam.ac.uk.

Appendix 1 of this document provides a number of cases studies designed to provide guidance on best practice as regards export control classification

Appendix 1: Case studies

1. Your research is within the field of electrical and mechanical engineering. Your laboratory regularly stores related materials such as sensors and motors. You regularly import new components from suppliers but have no intention to export any materials outside of the UK.

As this research is in a high-risk area, the researcher should classify existing goods, software and technology even though there is no planned export in the immediate future. On receipt of new items, researchers should seek information from the supplier regarding applicable export controls or classify the items independently. The University's classification form should be completed and retained as a record of due diligence. If items are identified as controlled, appropriate controls should be placed on access (see section 3.7.1 of the Procedure and Guidance for examples). In advance of a new activity that involves the export of items that have been classified as controlled overseas, the researcher should contact the Research Governance team for further advice.

2. You intend to make an export of an item to an arms embargoed [country](#). Prior to the request to export the item, you classified the item and ascertained that it was not controlled as it is not designated on the UK Strategic Export Control Lists. You have been informed by the recipient that the item will be used to assess the suitability of certain drones to fly within varying environmental conditions. You are aware that the recipient is based at a university that hosts WMD-related research programmes.

While this item is not controlled via the UK Strategic Export Control Lists, you have reasonable suspicions that your item may be exported for use within a WMD programme. It may therefore be necessary to apply for a licence despite the relevant item not being controlled within the lists: WMD end use controls apply if you are informed of, aware, or suspect WMD end use. You should not export any items or related knowledge or provide technical assistance until further advice is obtained from the Research Governance Team.

3. A researcher has contributed controlled information to a UK-based collaboration aimed at publishing a paper. Mid-way through the publication process, an additional researcher from an overseas university is invited to contribute and will conduct analyses on data. You have carried out due diligence on the new researcher's institution and have established that they are low risk.

Due to the addition of an overseas entity who will be in receipt of controlled data for the purpose of analysis, an export is now being made. The researcher from whom the data derives is responsible for classifying their research in view of the export to ascertain whether a licence is required. Despite the collaborating institution being low risk, exports of controlled software, technology or goods to overseas destinations may require a licence.