

D E C R E E
ON THE EXPORT AND TRANSIT OF DEFENCE MATERIEL (108/1997)

Promulgated in Helsinki on 7 February 1997

On the recommendation of the Minister of Defence with respect to the Act on the Export and Transit of Defence Materiel (242/90, 197/95), the following shall be adhered to:

Section 1

For the purpose of considering licence applications concerning the export and transit of defence materiel the materiel, the materiel shall be classified into item categories as defined in this Decree.

Section 2

The defence materiel referred to in Section 5 of the Act comprises the following items as well as related technology and knowhow as specified in the Decision of the Ministry of Defence:

Category 1

[covers various lethal weapons and systems from the Wassenaar Munitions' List]

Category 2

[covers various military vehicles, warships and aircraft from the Wassenaar Munitions' List]

Category 3

[covers various ballistic shields from the Wassenaar Munitions' List]

Category 4

[covers various kind of ancillary equipment from the Wassenaar Munitions' List]

Section 3

The defence materiel classified in the item categories shall comprise:

- 1.1 Software specially designed or modified for development, production or use of equipment or materiel covered by this Decree; and
- 1.2 Equipment and technology for production of items covered by this Decree.

Section 4

The export of technology referred to in Section 2 shall require an export licence even if such technology is meant for development, production or use of an item which is not defined as defence materiel.

Authorization is not required for the export of such technology which is necessary for installation, use, maintenance, inspection, or repair of an already licensed item.

Nor is authorization required for the export of technology which is widely available internationally or related to basic scientific research.

Section 5

The Ministry of Defence shall, upon request, advise whether an item intended for export is defined as defence materiel under the Act as well as advise, in response to a prior enquiry, on whether the intended export is acceptable on foreign and security grounds.

Section 6

The licence application concerning export or transit of defence materiel is to include a description of the materiel, of its quantity as well as of its value in Finnish marks, information about the country of destination and purchaser as far as known to the applicant, the period for which the licence is requested, as well as any other information requested by the Ministry of Defence.

Section 7

Anyone who has been granted an export licence shall provide the Ministry of Defence with a Customs clearance certificate issued by the Customs authority of the recipient country as a verification of import of the licenced export as well as on a quarterly basis, of the materiel exported or transported in transit.

Section 8

Where necessary, the Ministry of Defence shall issue specific regulations on the implementation of this Decree.

Section 9

This Decree shall enter into force on 15 February 1997. This Decree shall repeal the Decree on the Export and Transit of Defence Materiel promulgated on 24 March 1995 (409/1995).

President of the Republic

Minister of Defence