



University of Edinburgh Export Control and Sanctions Compliance Procedure

1. Purpose and Scope

What is export control?

UK export control refers to a set of legal restrictions on the transfer of certain goods, equipment, materials, software and technology (e.g. data, designs, know-how) from the UK to a destination or destinations outside the UK with the aim of preventing conflict, human rights abuse, weapons of mass destruction (WMD) proliferation and terrorism.

The laws around export control focus on two main areas;

1. Items and their components that have been specifically designed or modified for military use; and
2. Dual-use items (i.e. non-military items that may be used for military or security purposes, including WMD).

Export is construed widely and covers: (i) the physical and electronic transfer of Controlled Items from within the UK to a destination outside the UK; (ii) the transit of Controlled Items through the UK; and (iii) the transfer of Controlled Items within the UK for use in a WMD programme outside the UK (including teaching taking place in the UK). Export of Controlled Items can occur in a variety of activities such as academic and commercial collaborations, teaching, consultancy and licensing activities and even travelling to a third country overseas with a laptop or papers which contain controlled technology.

What are sanctions?

Sanctions are legal measures intended to pressure targeted regimes, organisations and individuals (“Denied Parties”) to change their behaviour by restricting their access to military and economic resources. Most UK sanctions measures take two forms: arms embargoes on states that threaten international security and asset freezes on specified Denied Parties involved in repressive regimes, crime or terrorism. An asset freeze in effect



prohibits any form of business or collaboration with any Denied Parties. It is important to be alert to the risks of inadvertently doing business with any Denied Parties in any activities undertaken outside the UK.

What is the purpose of this procedure?

For the great majority of university activities, the legislation will not apply, particularly as basic scientific research and information that is already in the public domain are exempt from export controls, most exchanges are within the UK, and universities rarely have dealings with sanctioned countries or Denied Parties.

However, as a world leading university we increasingly engage with academia, business and industry across the world. Examples of relevant activities which may be covered by the controls include: work for a commercial sponsor; research results circulated for colleague review or presented at an overseas conference; staff or foreign students carrying sensitive research out of the UK or downloading it from a UK server while they are overseas; laboratory equipment or materials (even in very small quantities) exchanged with overseas collaborators; and handling or transfers of certain equipment or technology from the US or equipment or technology containing US origin content.

Relevant disciplines include the following: nuclear engineering; biological sciences involving pathogens; toxic or high energy chemicals; high strength materials; high specification electronics, computers, and telecommunications; automation and control systems; cryptography; lasers, optics and sonar; navigation and avionics; submersibles; aerospace and space; and any work related to a defence programme.

Examples of activities in the University that have required export licences include the temporary export of drones equipped with laser and multispectral sensors to destinations in central Africa and South America.

As export control and sanctions are an important part of UK security legislation and broad in scope across a range of academic disciplines we take institutional compliance and our duties in relation to the legislation very seriously. The purpose of this procedure is to ensure that



the University and its staff and students remain in full compliance with all export controls and sanction regulations that apply to our activities, proportionate to the overall risk.

Staff, visiting academics and students should also be mindful however that the movement, storage and retention of certain materials, including some pathogens, toxins and radioactive substances, may be subject to regulatory requirements in addition to those relating to export control. Further information on biosafety and radiation protection policy and regulation can be found on the University Health and Safety Department's dedicated webpages on [biological safety](#) and [radiation protection](#).

2. Procedure, Roles and Responsibilities

The Vice-Principal for Planning, Resources and Research Policy and Vice-Principal Business Development and Director of Corporate Services are responsible for the University's compliance with export control. The University Executive Board champions the University's Export Control and Sanctions Policy.

The Edinburgh Research Office and Corporate Services Group, are responsible for ensuring that the University has training and information relating to export control accessible by all staff and students and particularly in relevant disciplines identified as being likely to have greater export control implications. Responsibilities include ensuring that:

- All Research Contracts, Material Transfer Agreements and IP licensing includes a check on whether export controls may be applicable and, if so, planning for ensuring full compliance;
- Contracts and MTAs include robust provisions requiring all parties to comply with all applicable export controls and sanctions and to terminate the contract without liability if the other party breaches this condition or if an export licence is denied; and



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- Steps are taken to capture ‘below the radar’ activities including material transfers outside of MTAs, pre-contract collaboration, private consultancy, staff travel and data transmission to/access from overseas.

Heads of School in the relevant disciplines are required to promote awareness and ensure they have a suitable method of disseminating export control information, ensuring all staff and students are made aware of the training available particularly in identified high risk areas of research. Heads of School are responsible for determining their own School process and contact point (to act as an export control champion) who can receive a higher level of training to ensure they have the necessary expertise. This contact point will assist with specific export queries from staff and postgraduate students and with the submission of licence applications by the Edinburgh Research Office on behalf of the Principal Investigator and the University. Heads of Schools should include export controls in their Risk Registers and review the issues regularly at Heads of School meetings

Principal Investigators in the relevant disciplines are responsible for understanding export controls by utilising the training provided. The Principal Investigator must ensure members of the Principal Investigator’s research team fully comply with export controls.

Researchers in the relevant disciplines, should ensure that they:

- Have read and understood University and government guidance on export control;
- Have awareness as to whether their research area/s may be subject to export control legislation; and
- Seek advice from the Edinburgh Research Office if they suspect that export controls may apply to their work.

Export Licensing

In some cases, it may be necessary to apply for an export licence from the UK Export Control Organisation and/or the U.S. Department of Commerce’s Bureau of Industry and Security to



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carry out an activity. Responsibility for compliance with export control regulations rests both with the individual researcher and the University. The University will ensure that it takes adequate measures to support researchers to achieve compliance and ensure that the University itself has complied with the law. To achieve this, the University has:

- Registered with the Export Control Joint Unit web service so that export control queries and licence applications can be submitted;
- Made available clear up-to-date guidance, training and sources of advice for researchers seeking information on export control regulations;
- Put in place particular support as necessary, to researchers working in disciplines most likely to be affected by export control; and
- Established a process to routinely screen proposed and ongoing activities with overseas partners in order to identify any that are restricted by UK, EU, US or other applicable sanctions. Prospective partner institutions or sponsors that raise any concerns are checked with the Export Control Joint Unit End-User Advice Service.

Sensitive Technology

Any concerns over students who are working with sensitive technology should be referred to the UK government's Academic Technology Approval Scheme (ATAS). (Prospective new staff who are foreign nationals and who will be working on sensitive technologies are already vetted by the UK government when applying for a visa.)

The Academic Technology Approval Scheme (ATAS) requires all international students who are subject to UK immigration control, who are intending to study at postgraduate level in certain sensitive subjects, knowledge of which could be used in programmes to develop weapons of mass destruction (WMDs) or their means of delivery, to apply for an Academic Technology Approval Scheme (ATAS) certificate before they can study in the UK. Prospective new staff who are foreign nationals and who will be working on sensitive technologies are already vetted by the UK government when applying for a visa. The requirement for an ATAS certificate applies to all students intending to study at postgraduate level in a relevant



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subject and whose nationality is outside the European Economic Area (EEA) and Switzerland, irrespective of country of residence at the point of application.

If you are applying to study a relevant undergraduate course with an integrated masters year, you may also need ATAS clearance.

3. Compliance and Monitoring

Penalties

The University and individual staff have a responsibility to ensure legal compliance with export control and sanctions legislation. Non-compliance can result in very significant financial penalties and is a serious criminal offence with custodial sentences of up to 10 years, as well as constituting a disciplinary offence. Violations of similar US legislation can also carry severe penalties or result in serious implications in the UK.

4. Related documents

The procedure should be construed in line with the University's [Export Control and Sanctions Policy](#).

5. Who to contact for more information

Information on the support provided by the University is available on the Edinburgh Research Office website: <https://www.ed.ac.uk/research-office>

For further assistance, please contact: exportcontrol@ed.ac.uk



6. Procedure History and Review

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This version replaces all previous versions of this Export Control and Sanctions Compliance Procedure.

If you would like this document in another format please contact exportcontrol@ed.ac.uk

(A more detailed document control record, showing what text has changed & when it changed, will be held by the authoring team)