

Strategic Goods (Control) Regulations 2004

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STRATEGIC GOODS (CONTROL) ACT
(CHAPTER 300)

STRATEGIC GOODS (CONTROL) REGULATIONS 2004

In exercise of the powers conferred by sections 7 (7), 8(6), 31(2), 36 and 38 of the Strategic Goods (Control) Act, the Minister for Trade and Industry hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Strategic Goods (Control) Regulations 2004 and shall come into operation on 7th January 2004.

Definitions

2.—(1) In these Regulations, unless the context otherwise requires —

“bulk permit” means a permit authorising multiple exports, transshipments or transmissions, as the case may be, of the goods, document or technology described in the permit during the period specified in the permit;

“decision of the United Nations Security Council” means a decision of the United Nations Security Council in resolutions made under Chapter VII of the Charter of the United Nations signed at San Francisco on 26th June 1945;

“exporting country”, in relation to any goods, document or technology in respect of which an application for a permit is made or in respect of which a permit is granted, means any country or territory, other than Singapore, from which the goods, document or technology is exported or transmitted;

“permit” means a single-use permit or bulk permit granted under section 7 (3);

“permit holder” means a person who is granted a permit under section 7 (3);

“registered person” means a person who is registered under section 8 (2);

“single-use permit” means a permit authorising —

(a) in the case of any act referred to in section 5 (1) or (2), a one-time

export, transshipment, bringing in transit or transmission of the goods, document or technology described in the permit; and

- (b) in the case of an act referred to in section 6 (1) in relation to any goods referred to in section 6 (2)(b) or any technology referred to in section 6 (3) or any document in which such technology is recorded, stored or embodied, the arrangement or negotiation or the facilitation of the arrangement or negotiation of a contract for the acquisition or disposal of the goods, technology or document concerned.

(2) In these Regulations, a reference to a section shall, unless otherwise expressly provided, be construed as a reference to a section in the Act.

PART II

PERMITS

Application for grant or renewal of permit under section 7 (1)

3.—(1) Subject to paragraph (2), a person may, under section 7 (1), apply for a permit that is —

- (a) a single-use permit; or
- (b) a bulk permit.

(2) A person may apply for a bulk permit only in respect of an act referred to in section 5 (1).

(3) An application for the grant or renewal of a permit shall be made by the person who wishes to carry out the act concerned or a person acting on his behalf.

(4) An application for the grant of a single-use permit shall be made not less than 3 working days before —

- (a) the goods or document in respect of which the application is made is brought on board the conveyance on which it is to be exported or transhipped, in the case of export or transshipment;
- (b) the arrival in Singapore of the conveyance on which the goods or document in respect of which the application is made are to be brought in transit, in the case of bringing in transit;
- (c) the transmission of the technology in respect of which the application is made is to be carried out, in the case of the transmission of technology; or

- (d) any step is taken to arrange or negotiate or facilitate the arrangement or negotiation of a contract for the acquisition, disposal or transmission of the goods, document or technology in respect of which the application is made, in the case of an act referred to in section 6(1) in relation to any goods referred to in section 6 (2)(b) or any technology referred to in section 6 (3) or any document in which such technology is recorded, stored or embodied.

(5) An application for the grant of a bulk permit shall be made not less than 2 months before the first export, transshipment or transmission of the goods, document or technology in respect of which the application is made is carried out.

(6) An application for the renewal of a permit shall be made —

- (a) not less than 2 months before the date of expiry of a bulk permit; and
- (b) at any time before the expiry of a single-use permit.

(7) Notwithstanding paragraph (4), (5) or (6), the Director-General may in any particular case, allow an application for the grant or renewal of a permit to be made within a period that is less than that specified in that paragraph where it is not practicable for the application to be made within the period specified in that paragraph.

(8) For the purpose of paragraph (4)(a), where there is more than one person involved in the transshipment of the goods or document in respect of which the application is made, the application shall be made by the person who issues the through bill of lading or through airway bill or a person acting on his behalf.

Information and documents in connection with grant, renewal or amendment of permit

4.—(1) Every application for the grant or renewal of a permit under regulation 3 or for the amendment to a permit under regulation 12 shall be accompanied by such information or document as the Director-General may require.

(2) Without prejudice to the generality of paragraph (1), the information or document required by the Director-General may include —

- (a) any manual, brochure, data sheet or other document containing such technical information or specifications in respect of the goods, document or technology in respect of which the application is made as the Director-General considers necessary;
- (b) the end-user certificate or statement; and