



## Export Controls Compliance About Hammonds' Practice

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# Hammonds' Export Controls Practice

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Have you ever considered whether you need a licence before sending a technician to provide after-sales repairs to a client?

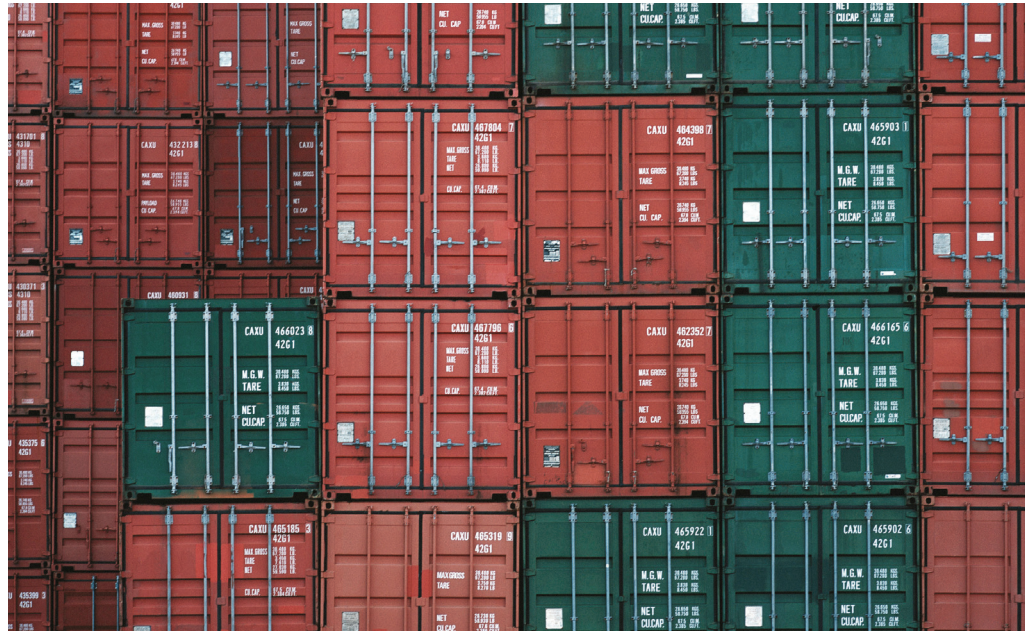
Export controls regimes are complex and ever-changing. Complying with these controls has become an increasingly important consideration for large corporations and top management. Companies that engage in global M&A activity, or ship goods and know-how across borders, need to be aware of the challenges that they bring.

Within the European Union, responsibility for administering export controls is divided among the EU governing bodies and the Member States. Economic sanctions and export controls on dual-use goods are enforced by the competent authorities of the EU Member States, as are rules concerning the export of military goods. The resulting frameworks can prove difficult to apply and understand.

Hammonds' Export Control Team specialises in advising corporate clients on all aspects of EU and national laws and regulations, including Belgium, France, Germany, Italy, Spain and the United Kingdom. We help our clients understand and apply the rules, and can develop export compliance programmes for them that will ensure peace of mind on an ongoing basis.

Our practice focuses on export restrictions on military and dual-use goods as well as related services as set out in the EU rules, mainly the EU dual-use Regulation 428/2009 and the national rules of the Member States. We also provide full legal advice on restrictions resulting from embargos and acts of terrorism.

Compliance with export control regimes has become an important and sensitive consideration for large corporations and top management, particularly in the post-9/11 environment.





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# Compliance is crucial

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Export control regulation affects businesses across all industry sectors in their daily activity worldwide, whether they are multinational players or smaller local businesses. Violations of these rules can cause severe reputational damage and lead to heavy penalties. Managers and executives held responsible can further be subject to criminal charges, including financial penalties and even imprisonment.

Hammonds' Export Control Team protects clients from these negative consequences, ensuring that they understand how their business may be affected by export control laws and that they recognise the importance of compliance. When necessary, our lawyers can investigate suspected non-compliance within companies and defend against both civil and criminal enforcement actions.



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## A seamless service

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Hammonds's multi-sited team is in a unique position to offer a 'one-stop' service to multinational clients that need to ensure up-to-the minute application of the export control laws on the EU and various EU Member States.

**Do you have subsidiaries in France and Italy and need advice whether you can ship to Iran?** Our lawyers on the ground in Paris and Rome can get the answer within hours.

**Working in London and sending software to Russia?**

We'll tell you what does and does not fall within the relevant export regimes.

Our presence in many EU Member States ensures we understand your local business environment and can use our contacts and work with the national authorities in the best way possible.

We have represented clients in various sectors, including aerospace, chemicals, technology, energy, automotive, communication technologies, textiles, and engineering and pride ourselves on providing the necessary advice and assistance, within the confines of time and budget limitations. We analyse and identify the appropriate level of control.

Did you know that taking your laptop with you on a business trip might require an export license?

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# Ask the experts – Hammonds workshops and seminars

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Are you alert when a client has little or no business background and is unfamiliar with the ordered product, but is eager to obtain it?

Export control is a complex area of law. To ensure our clients are always aware of the latest developments, Hammonds' Export Controls Team offers our clients regular training sessions and workshops, tailor-made to their respective needs.

As regularly requested by our clients, we can prepare training sessions that focus specifically on the aspects of European and national rules which are most relevant to each individual client.

In our seminars and workshops we offer:

- Presentations designed to provide an understanding of the EU and Member State laws controlling exports of military and dual-use goods and related services, embargos and terrorism.
- Interactive sessions to address client specific questions and scenarios.
- Case studies to put the learning into a practical context.

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## FURTHER INFORMATION

To find out more about our seminars and workshops please contact:

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# Representative clients and expertise

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- Advising an aircraft engine manufacturer on various export control issues related to the company's German repair and overhaul facilities, including licensing requirements of various activities of the facilities; applications for export classification numbers to certain hardware and technology; and export licensing requirements to provide technical support, repair and data.
- Advising on the effects of the UN embargo on Iran on a client's operation of a chemical plant in Iran.
- Advising US companies on the scope and applicability of German export control laws to mobile phone technologies.
- Representing clients in proceedings concerning alleged non-compliance with export control laws before national authorities.
- Advising a client on export licensing requirements for sending spare parts to another country in order to support the operations of aircraft in this country.
- Collaborating with a company producing communications and testing equipment to devise a tailored solution to the company's export control matters in the EU context. Colleagues throughout Hammonds' offices were involved, working with EU and national authorities on a multi-jurisdictional basis.
- Advising a multinational company on the transfer of software and technology between EU member States and to third countries.
- Advising a multinational engineering company on trade compliance. The advise included the conduct of a self-assessment to ensure the reliability of internal controls and to identify and correct any potential deficiencies, with a view to ensuring a continuing high degree of compliance. Hammonds Export Control Team drafted trade compliance guidelines tailored to the company's needs and trained personnel throughout the organisation.
- Advising a producer of materials for functional outdoor-wear on the envisaged supply of its products to a another country's army for uniform manufacture.
- Conducting pan-European compliance seminars on the export control laws of the European Union and Member States for multinational companies.
- Advising on international producer in the semiconductor industry with regard to the



Are you alert when a client orders unusually high quantities or asks for delivery via abnormal shipping routes?

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## Our experts

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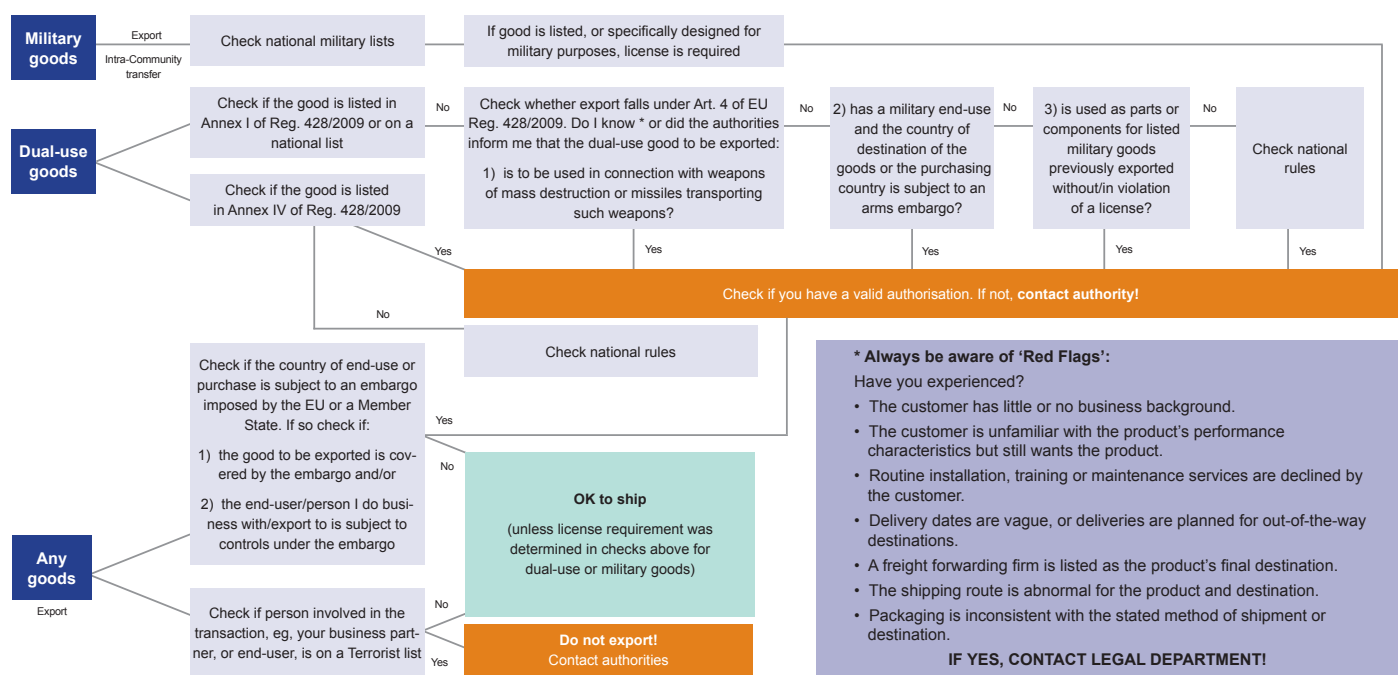
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# Physical export of good – Quick Check European Union



**NOTE:** This chart only presents a general summary for guidance and does not substitute for careful review of each order as may be required by law.

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