

Export Control Procedure

Enabling Policy Statement; Executive Owner; Approval Route:	Our Research and Innovation - PVC, Research and Innovation - Executive Board
Is the Procedure for internal use only (Non-disclosable) ?	Disclosable
Associated Policy Statements:	Our Data - Chief Operating Officer Our Partners and Reputation - Vice-President Global
Authorised Owner:	Director of Research, Innovation and Impact
Authorised Co-ordinator:	Director of Research, Innovation and Impact
Effective date:	April 2025
Due date for full review:	April 2028
Sub documentation:	

Approval History

Version	Reason for review	Approval Route	Date
1.0	Moved onto new procedure template	URIC Executive Board	March 2025 April 2025

1. Purpose

Export controls are measures adopted by the UK and other governments to prevent the proliferation of Weapons of Mass Destruction (WMD) and the misuse of 'dual-use' civil items with potential military, security, WMD or other application. The regulations constitute legal obligations, with potentially heavy reputational, civil and criminal penalties for violations. The majority of the University's activities are not affected but, as the international character of its activities expands, its exposure to these regulations is growing.

Compliance is a legal obligation on the University, staff and students. Failure to comply is a criminal offence: penalties range from unlimited fines to 10 years imprisonment, compounded by serious reputational damage.

This procedure is to ensure that the University, its staff and students remain in full compliance with all the export controls and sanction regulations that apply to their activities, through means which are both effective and proportionate to the generally low level of risk

2. Scope and Exceptions to the Procedure

- 2.1. This procedure applies to all those engaged in academic research and consultancy as defined by UK Research and Innovation (UKRI). This includes academic staff, researchers, research students, visiting staff, students and Emeritus professors, research support staff, research managers, support staff and administrators whose activities may involve the physical export, electronic transfer, or transfer by any means (including telephone) of goods, software or technology listed within the "control list" (Schedule 2 and 3 on the Export Control Order 2008) or where an "end-use control" (Council Regulation (EC) No.428/2009) applies. These controls apply to transports and exports to outside the UK and in some limited circumstances within the UK.
- 2.2. Export controls apply not only to military items but also to 'dual-use' civil items with potential military, security or WMD applications in a range of disciplines: nuclear physics and engineering; biological sciences involving viruses, pathogens, vaccines; chemicals with toxic properties; high strength materials; high specification electronics, computers, and telecommunications; automation and control systems; cryptography; lasers, optics and sonar; navigation and avionics; submersible equipment; aerospace and space; and any work related to a defence programme. This list is not exhaustive and the control lists are constantly reviewed, therefore, the [UK Strategic Export Control Lists](#) should be consulted to see if controls apply in each instance.
- 2.3. The controls do not aim to restrict scientific research but to prevent its misuse. Most universities' activities are outside export controls since they fall under one or both main exemptions to the regulations: 1) basic scientific research; and 2) information already in the public domain.

3. Definitions and Terminology

- 3.1. Dual-Use Item: items (including software and technology) which can be used for both civil and military purposes.
- 3.2. Export Controls: the prohibition or regulation of the export or transfer of items out of the UK. Export or transfer: any physical or intangible movement of items out of the UK. Includes carrying information overseas on a laptop, paper or drive; any electronic transfer -fax, email, text, uploading to a server outside the UK (unless the information is accessible from outside the UK); and by telephone, if information is communicated so as to achieve substantially the same result as if the recipient had read it.

- 3.3. Items: goods, equipment, components, samples, materials, software, data or technology.
- 3.4. Sanctions: legal measures for the interruption or reduction of economic and financial relations with third countries or entities.
- 3.5. Technology: information useful for the development, production or use of goods. Includes blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, or manuals and instructions, either written or recorded on other media.

4. Procedural Principles

- 4.1. The University is firmly committed to ensuring, in a balanced and proportionate way, that all staff and students remain fully compliant with all export control and sanctions regulations that apply to their activities. To this end the University:
 - 4.1.1. Will not engage in any activities prohibited by the UK Export Control framework;
 - 4.1.2. Will ensure that all staff, postgraduate researchers, visiting staff and visiting students engaged in relevant disciplines are aware of export control considerations and how they apply to their activities. While it is the responsibility of each individual researcher to be familiar with the rules, the University will provide or, where provided elsewhere, signpost to, appropriate training to assist;
 - 4.1.3. Will have robust procedures in place for assessing whether export control considerations apply, for all activities not just those arising through funded research;
 - 4.1.4. Will consider applying for appropriate licences for any activities restricted by the UK Export Control framework and will not undertake such activities until such times as licences are in place;
 - 4.1.5. Will, where a licence has been granted or the University is receiving export-controlled materials, have robust technical and procedural measures in place to ensure the security of those materials (be it data, technology, software, etc);
 - 4.1.6. Will proactively manage the University's UK export control licences and applications; and
 - 4.1.7. Will conduct annual audits to ensure that these principles are strictly observed. If any possible violations are detected, these shall be investigated promptly, urgent measures taken to prevent any recurrence, and disciplinary action considered, since non-compliance will be considered as research misconduct, in accordance with the Code of Practice on Handling Allegations of Research Misconduct.
- 4.2. Detailed procedures for researchers are set out in the supporting documentation and are available on the University webpages at <https://surreynet.surrey.ac.uk/academic-services/academic-resources/complying-new-regulations>

The procedures include:

 - Guidance to determine whether a research activity might have export control implications; and
 - Guidance around the different export licences available, and how to make an internal enquiry to apply for a licence.
- 4.3. Overall responsibility for the University's compliance with export controls and sanctions lies with the Pro-Vice-Chancellor, Research and Innovation, who acts as the Senior Responsible Owner (SRO) on behalf of the University.
- 4.4. The Assurance team in Research Innovation and Impact are responsible for ensuring the University is made aware of its obligations regarding compliance with regulations. It primarily does this via provision of relevant and up-to-date information on the University's website, linked to the relevant Government bodies/ external sources of advice which provide detail around

export control. Assurance will establish a process for ensuring the information has been appropriately accessed by all staff and students, particularly those in discipline areas likely to have greater export control implications. Assurance will also establish a central framework under which audit/ compliance requirements will be met regarding information management.

The Assurance team are responsible for facilitating licence applications for export control on behalf of the University. They are the University's account holders for SPIRE, the online export licensing system for the Export Control Joint Unit (ECJU), as well as the Open General Export Licence (OGEL), for export of dual-use items to the EU. In addition to being the central point for licence applications and records, they, in combination with the Technology Transfer Office and research contracts team, will ensure that all research contracts, Material Transfer Agreements (MTAs) and Intellectual Property (IP) licencing have the appropriate checks on whether export controls may be applicable, and if so, plan for full compliance through application of appropriate provisions.

- 4.5. The Research, Innovation & Impact Costing and Development teams, and International Engagement teams are responsible for triggering due diligence as part of establishing engagement with potential new partners. They use commercial screening software for credit checks and other due diligence on all potential new partners, to check them against the UK, EU and US sanctions lists. The checks are repeated as necessary for existing partners, to address the risk of any being added to a list after the partnership has been established.
- 4.6. Pro-Vice-Chancellors (Faculty Executive Deans), in association with Associate Deans and Heads of Schools, are responsible for promoting awareness via the University's information provision, and ensuring they have an overall understanding of their high-risk research disciplines, in so much as identifying staff and students who will need particular attention regarding export control awareness/ training.
- 4.7. Principal Investigators (PIs) in the relevant disciplines are responsible for understanding export controls by utilising the guidance provided. The Principal Investigator must ensure members of their research team fully comply with export controls. It is the PI's responsibility to seek advice from the Research Legal Contracts team to apply for and be in receipt of appropriate licences, ahead of any research activity being undertaken.

5. Procedural Principles

5.1. Implementation: Communication Plan

- 5.1.1. The procedure will be communicated to academic colleagues through RII and Associate Deans, Research and Innovation.
- 5.1.2. The Director of RII will share the procedure with their teams.
- 5.1.3. This procedure will be published on the University's web site along with the associated guidelines with links from RII webpages.

Awareness raising will be embedded as part of the on-going researcher development programme, with consideration to milestone events, such as induction and annual appraisal, to reinforce messages.

5.2. Implementation: Training Plan

- 5.2.1. New research active staff should be signposted to this procedure, by their line manager, when they first join the University.

5.3. Review

The procedure will be reviewed every three years. Any minor changes will be made by the Director of Research, Innovation Impact, with anything other than clarifications to be agreed by PVCRI and the initial signatories. Major changes will be submitted via URIC and EB. Associated processes are expected to evolve over time and will be subject to review as required.

5.4. Legislative Context and Higher Education Sector Guidance or Requirements

The main relevant legal measures include the following:

- [Export Control Act 2002](#);
- [Export of Radioactive Sources Control Order 2006](#);
- [Export Control Order 2008](#);
- [EU Council Regulation 428/2009](#)
- [EU Council Regulation 1236/2005](#);

5.5. Sustainability

This procedure has no impact on sustainability.

6. Stakeholder Engagement and Equality Impact Assessment

6.1. An Equality Impact Assessment was completed on **17/03/2025** and is held by the Authorised Co-ordinator.

6.2. Stakeholder Consultation was completed, as follows:

Stakeholder	Nature of Engagement	Request EB Approval (Y/N)	Date	Name of Contact
Governance	Emailed URIC approved version for comment	N	24 th March 2025	Kelley Padley, Governance Officer secretariat@surrey
H&S	Emailed URIC approved version for comment	N	24 th March 2025	Safety@surrey
Sustainability	Emailed URIC approved version for comment		17 th March 2025	sustainability@surrey
Academic Freedom/ Freedom of Speech	Emailed URIC approved version for comment	N	24 th March 2025	a.bradbeer@surrey
Our Data Executive Owner	Emailed URIC approved version for		21 st March 2025	w.davies@surrey

	comment			
Our Partners and reputation Executive Owner	Emailed URIC approved version for comment	N	24 th March 2025	p.degg@surrey