

## FOREWORD BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY



The draft Bill published in this document will completely overhaul the United Kingdom's export control powers for the first time in over 60 years. It will provide the United Kingdom with the comprehensive legislative framework needed in today's more complex world and will help ensure that the United Kingdom can play its part as effectively as possible in making the world a safer place.

We will use the new powers provided in the Bill to introduce a licensing requirement for trafficking and brokering in arms between overseas countries. This will allow us to prohibit the supply of weapons to regions of conflict, while allowing legitimate trade by British defence companies. We will also use the new powers in the Bill to prohibit trafficking and brokering of arms to embargoed destinations. And we will ban trafficking and brokering of equipment whose export from the UK we have already banned because of evidence of its use in torture. We will also use the powers to introduce a licensing requirement for the export of military technology by electronic means, as well as in tangible form. And we will introduce controls to prevent the transfer of technology or provision of technical assistance that could assist the development of weapons of mass destruction.

At the same time, the Bill will ensure that the Government is accountable to Parliament for the use of these new powers. It does this by setting out the purposes for which the powers can be used and by providing for parliamentary scrutiny of secondary legislation made under the powers. As such it meets the criticisms rightly made in the Scott Report about the lack of such provisions in the Import, Export and Customs Powers (Defence) Act 1939, whose export control powers the Bill will replace. We have of course already taken many important steps to improve Government accountability for strategic export controls, by announcing the criteria against which licensing decisions are made, by publishing annual reports on strategic export controls and by voluntarily laying Orders under the 1939 Act before Parliament. But it is right that, as the Scott Report recommended, accountability to Parliament for export control legislation should be enshrined in law.

The draft Bill represents the outcome of a thorough review process following the publication of our proposals for new legislation in the 1998 White Paper on Strategic

Export Controls. Publication of the Bill in draft provides an opportunity for consultation on the proposed detailed provisions of new legislation. We invite all those with an interest in export controls to give their views both on the draft bill and on the controls we propose to introduce under the new powers in the Bill.

A handwritten signature in black ink, reading "Stephen Byers". The signature is written in a cursive style with a long, sweeping underline.

**Stephen Byers MP**  
Secretary of State for Trade and Industry