



## INSTRUCTIONS FOR COMPLETING EXPORT APPLICATION FORM DEC01

**WARNING** ▶ A person making false representation, in any manner whatsoever, in an application for a permit, licence or certificate, may be prosecuted for an offence against the *Crimes Act 1914* and if convicted face a maximum penalty of a fine of \$60 000 for a corporation or a fine of \$12 000 for an individual, and/or imprisonment for up to 2 years.

**NOTE** Applications should be submitted as early as possible. Several government agencies are involved in assessing security and other aspects of some more sensitive applications, and this process may take up to several months.

Item numbers below refer to those item numbers listed on form DEC01

### 1. **Applicant details**

#### Company name (or individual name where not a company)

If the applicant is a company, the ABN (where issued) must be quoted.

Note that in the near future, companies with no ABN and individual applicants will need to quote their Customs Clearance ID (CCID). See Customs Web Site [www.customs.gov.au](http://www.customs.gov.au) for information regarding Cargo Management Re-engineering (CMR) and Integrated Cargo System (ICS).

#### Street address

A street address is required. A PO Box address will not be accepted.

#### Contact Person

Please provide the contact details of the person submitting the application or the contact details of a person able to discuss the particulars of the application. There may also be a requirement to discuss the technical attributes of the item being exported.

#### Telephone Number

Please ensure that business hours telephone number of the contact person is provided.

### 2. **Details of Owner of goods (if not the applicant)**

Where the applicant is not the owner of the goods, full details of the owner (including the ABN where issued) are required on the application.

**Note:** Owner is taken to mean the owner or manufacturer or supplier of those goods prior to export from the source country.

In accordance with subsections 240(1A) and 240(1B) of the Customs Act, a person who is the owner of goods, or a person who causes goods to be exported from Australia, must keep for five years, after the date of export, all relevant commercial documents relating to the goods that come into that person's possession or control at any time.

The commercial documents referred to above are necessary to enable Customs to ascertain the correctness of the information communicated by, or on behalf of the owner, and may include:

- paper or other material on which there is writing; marks, figures, symbols or perforations having meaning for persons qualified to interpret them; and/or on which a photographic image or any other image is recorded; and/or
- material from which sounds, images or writing is capable of being produced with or without the aid of a computer or other device.

### 3. Type of export approval required

Types of Export Permits are set out on page (5) of this instruction sheet.

Where the application requests a MIP (Military in Principle), exporters will be required to provide sufficient documentation to allow for an assessment of the application on the basis that an export may actually occur.

**Note:** All goods requiring an export permit (regardless of value) must be entered with Customs for exportation.<sup>1</sup> Once an export entry has been lodged with Customs, the owner of the goods must, as soon as practicable, export those goods in accordance with the export entry.

### 4 Consignee and End-User details

Street addresses are required for consignee as well as end user. A PO Box address will not be accepted.

Details of the end use of the goods are mandatory. In some circumstances End Use Certificate(s) may be necessary and will require original documents and a company seal where appropriate.

Where an application includes the export of firearms and ammunition for resale in Papua New Guinea and other Pacific islands destinations, an End User Certificate is required, endorsed by the Registrar of Firearms (or delegated representative) of the destination country. The Commissioner of Police (or equivalent) is normally the Registrar of Firearms.

Proof of ownership and a firearm licence is mandatory for the export of a firearm and / or ammunition. If the owner is NOT the applicant (ie an agent), written authority is required from the owner to export the firearm and / or ammunition, as well as the owner's proof of ownership and a firearm licence.

### 6 Description of goods

Export applications can to be assessed more quickly if the goods to be exported are described clearly and completely.

Where the description of an application exceeds 20 lines, or the application involves more than 20 nominated consignees, the applicant must provide an electronic version via email to [deco@defence.gov.au](mailto:deco@defence.gov.au).

Where the goods relate to a firearm, the firearm's serial number is mandatory. This number is marked on the weapon (with the exception of some antique firearms). Any other distinguishing marks should also be included.

**Note:** All applications to export firearms must be accompanied by the appropriate documentation pertaining to the ownership of the firearm/s to be exported. For export applications received from Firearm Dealers, the Firearms Dealers Licence will need to be provided once only and will be kept on file for subsequent export applications: Individuals must provide a copy of the firearm registration and their firearms licence.

Where the goods relate to a chemical the Chemical Abstract Series (CAS) number is mandatory. Please include this number in the Serial Number field.

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<sup>1</sup> The export of cargo is regarded as having occurred when:

- Goods situated within the Commonwealth of Australia are placed on board a ship or aircraft for consignment to a place beyond the Commonwealth; and
- The international voyage from the final port within Australia to that place actually commences.

The value of the goods must be stated in Australian Dollars and reflect the sales value. Where goods are being returned to owners after work undertaken in Australia, then only the corresponding 'value added' is to be stated.

## **7 Additional Information**

### **A Complete systems etc**

If the goods represent an upgrade or a component of a previously exported system, please provide details of previous export permit or licence.

If a component of a higher order system, please also provide details of the higher order system.

### **B End-User supporting documentation**

Where the goods relate to military equipment, the end-user will need to undertake not to re-export the equipment without approval from the Australian Government. Form DEC04 (End User and Non-Transfer Certification for Defence Goods) or other supporting statements must be submitted with the application form in these cases.

For chemical exports, Form DEC03 (Statement by Ultimate Consignee / Purchaser) must be accompanied by documentation that incorporates the letterhead of the Ultimate Consignee / Purchaser, together with the address, telephone contact and web address (if relevant).

### **C Equipment, data or technology sourced from a third country**

Equipment, data or technology or components sourced from a third country may require re-export permission from that country. Please include such documentation or justification that such documentation is not required. Failure to provide this documentary evidence will delay processing of the application.

### **D Verification details of the application of the equipment/material**

Where components or sub assemblies are being exported, please provide broad description of main equipment or platform where these will be fitted.

### **E Release of Australian Government classified information**

Where an application involves the release of Australian Government classified Defence information the applicant must seek Department of Defence approval for its release.

## **9 Address for completed application and supporting documentation**

A signed Export Application may be submitted by post or fax. Submission by e-mail cannot currently be accepted.

Please do not send any pages of this document DEC02 or its attachments with the application.

## CHECKLIST

- Is the street address shown for both applicant and consignee?
- Has a business hours telephone number been provided for the contact person?
- Are supporting documents required?
- Have supporting documents been attached to application?
- Are documents legible and do they carry appropriate endorsements etc?
- Where application relates to a chemical, has the Chemical Abstract Series (CAS) number been provided?
- Is source country approval required to re-export the goods or any component thereof?
- Where application relates to a firearm, has the serial number been provided?
- Has a copy of the firearm registration / firearm licence been attached?

## TYPES OF EXPORT PERMITS AND LICENCES

### Defence and related goods

|     | Permit or Licence Type           | Definition   | Standard Validity |
|-----|----------------------------------|--|-------------------|
| MEA | Military Export Licence          | Covers the export of a specified quantity of defence and related goods to a single consignee.  | 12 months         |
| MEL | Military Export Licence          | Covers the export of unspecified quantities of defence and related goods to single consignees.   | 24 months         |
| MIP | Military In-principle Permit     | Preliminary advice that approval may be granted. MIP allows exporters to market defence and related goods to potential customers.<br><i>(This permit does not give actual export approval)</i> | 12 – 36 months    |
| MTT | Military Temporary Export Permit | Used for defence and related goods which will be returning to Australia ( <i>eg overseas demonstrated trials</i> ).  | 12 months         |
| MRM | Military Return to Manufacture   | To return defence related goods to overseas manufacturer ( <i>eg after repair or modification</i> )  | 12 months         |
| MRO | Military Return to Owner         | To return defence related goods to overseas owners ( <i>eg after repair or modification</i> )  | 12 months         |

### Nuclear and dual -use goods

|     |                                       |  |                |
|-----|---------------------------------------|--|----------------|
| IEP | Individual Export Permit              | The single transaction export of a specified quantity of nuclear and dual-use goods to a single consignee.         | 6 months       |
| ESS | Export Service Supply Licence         | Used for nominated dual-use goods in support of a maintenance program or service to specified companies            | 24 months      |
| MRR | Maintenance Return and Repair Licence | To return or send dual-use goods for repair or after repairs overseas.   | 24 months      |
| EDL | Export Distribution Licence           | The multiple shipment of an unspecified quantity of nuclear and Dual-use goods to a single or multiple consignees. | 24 months      |
| GEL | General Export Licence                | The export of a range of dual-use goods to unspecified Consignees in nominated countries.                          | 12 – 24 months |