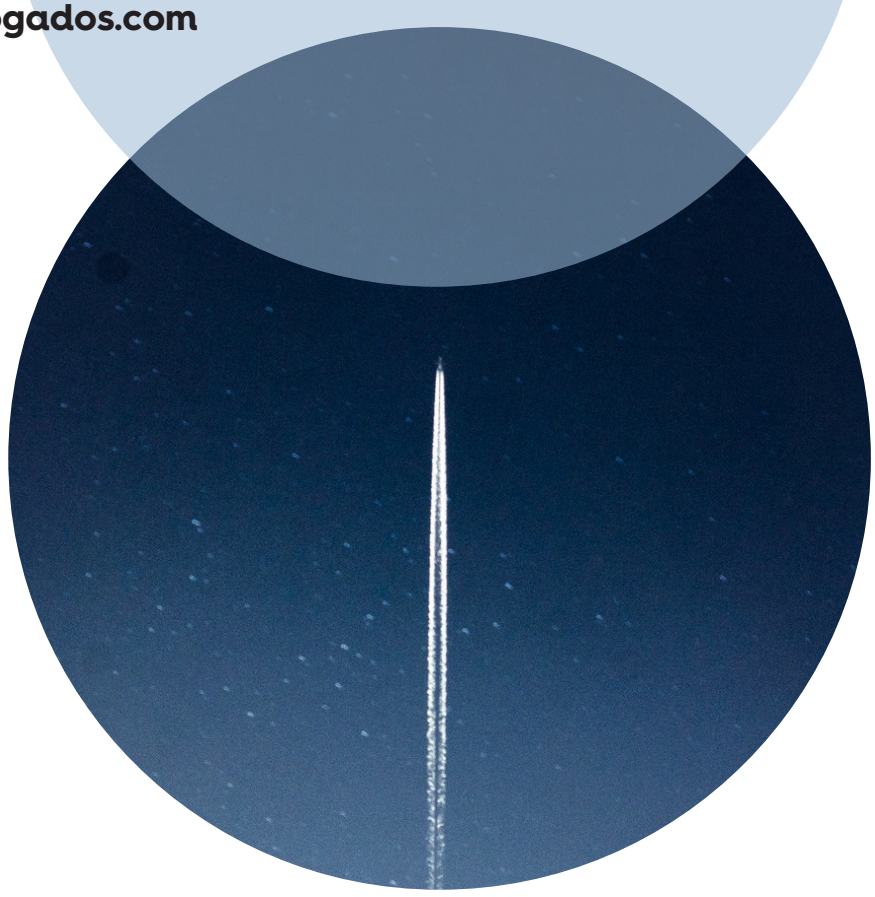
Abreu advogados

Export Controls in the European Union: What Is Changing for the Aerospace and Technology Sectors?

info@abreuadvogados.com
abreuadvogados.com



On 14 September, the European Commission adopted a Delegated Regulation updating the export control list set out in Annex I to Regulation (EU) 2021/821. The amendments will enter into force following their publication, which will take place after the two-month scrutiny period by the European Parliament and the Council.

Annex I contains the EU Common List of dual-use items subject to export controls. The list is organised into ten categories (0 to 9), including Category 9, covering »Aerospace and Propulsion», including, not only technologies, components, material and software for the aerospace industry, but also for the aeronautic industry.

The inclusion of materials, components, equipment or software in Annex I means that their export from the European Union to third countries becomes subject to export authorisation by the competent authority of the Member State from which the transfer takes place.

In addition to the amendments introduced in Category 9, relevant changes were also made to Category 1 (Special Materials and Related Equipment) and Category 3 (Electronics), with potential implications for supply chains linked to propulsion systems, launch vehicles and satellites.

Key developments include:

- The introduction of a new entry in Category 9 covering technology required for the development of gas turbine engine axial compressors (9E503.l).

- The addition, within the Materials section (1C), of certain ceramic matrix composite materials reinforced with continuous alumina or mullite fibres (1C507.c.1.a.), subject to specified mechanical and thermal performance criteria. These materials may be used in components and structures designed for launch vehicles, propulsion systems and certain gas turbine engine components. Cross-references to the new entry 1C507 have also been added to relevant Category 9 entries.

- The introduction of a new entry covering additive manufacturing equipment for propellant materials designed or modified to produce explosive, pyrotechnic or propulsion devices (1B504), together with the related software (1D001). Such equipment may form part of production processes associated with propulsion systems, including those based on solid propellants.

- The addition of rotary inductive encoders (3A501.f), which are used to measure the angular position of rotating mechanisms and may have applications in guidance systems, propulsion control, space instrumentation and solar array tracking systems.

- The creation of a new entry for power semiconductors (3A501.h), covering certain semiconductor switches, diodes and modules that meet the technical parameters established by the Regulation.

The update also includes amendments and new entries relating to advanced integrated circuits, lasers and rechargeable cells, which may have indirect implications across a range of industrial sectors, including the space industry.

Thinking about tomorrow? Let's talk today.



Ricardo Henriques
ricardo.henriques@abreuadvogados.com



João Lupi
joao.lupi@abreuadvogados.com



Hugo Brito de Almeida
hugo.b.almeida@abreuadvogados.com



info@abreuadvogados.com
abreuadvogados.com

Abreu advogados